



California Regulatory Notice Register

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The *California Regulatory Notice Register* is an official state publication of the Office of Administrative Law containing notices of proposed regulatory actions by state regulatory agencies to adopt, amend or repeal regulations contained in the California Code of Regulations. The effective period of a notice of proposed regulatory action by a state agency in the *California Regulatory Notice Register* shall not exceed one year [Government Code § 11346.4(b)]. It is suggested, therefore, that issues of the *California Regulatory Notice Register* be retained for a minimum of 18 months.

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PROPOSED ACTION ON REGULATIONS

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TITLE 2. STATE ALLOCATION BOARD

NOTICE OF PROPOSED REGULATORY ACTION

THE STATE ALLOCATION BOARD PROPOSES TO AMEND AND ADOPT THE FOLLOWING REGULATION SECTIONS, ALONG WITH AN ASSOCIATED FORM, TITLE 2, CALIFORNIA CODE OF REGULATIONS, RELATING TO LEROY F. GREENE SCHOOL FACILITIES ACT OF 1998

PROPOSED AMENDMENTS TO REGULATION SECTIONS: 1859.72, 1859.73.2, 1859.82, AND 1859.107

REGULATION SECTIONS PROPOSED FOR ADOPTION: 1859.71.2, 1859.78.4, AND 1859.108

PROPOSED AMENDMENTS TO:

Application for Funding, Form SAB 50-04 (Revised 08/02), Referenced in Regulation Sections 1859.2, 1859.21, 1859.50, 1859.70, 1859.73.1, 1859.73.2, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.100, 1859.101, 1859.102, AND 1859.107

NOTICE IS HEREBY GIVEN that the State Allocation Board (SAB) proposes to amend and adopt the above-referenced regulation sections contained in Title 2, California Code of Regulations (CCR). A public hearing is not scheduled. A public hearing will be held if any interested person, or his or her duly authorized representative, submits a written request for a public hearing to the Office of Public School Construction (OPSC) no later than 15 days prior to the close of the written comment period. Following the public hearing if one is requested, or following the written comment period if no public hearing is requested, the OPSC, at its own motion or at the instance of any interested person, may adopt the proposals substantially as set forth above without further notice.

AUTHORITY AND REFERENCE CITATIONS

The SAB is proposing to adopt and amend these regulations under the authority provided by Sections 17070.35, 17072.13, and 17075.15 of the Education

Code. The proposals interpret and make specific reference to Sections 17070.35, 17070.63, 17071.46, 17072.10, 17072.15, 17072.25, 17074.50, 17074.52, 17074.54, 17074.56, 17075.10, 17075.15 and 56026 of the Education Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The SAB adopted regulations to implement the Leroy F. Greene School Facility Act of 1998, which were approved by the Office of Administrative Law and filed with the Secretary of State on October 8, 1999. Adoptions and amendments to these regulations are being proposed.

Proposed adoption of Regulation Section 1859.71.2 establishes the additional grant increase for new construction project plans that include an automatic fire detection/alarm system and/or sprinkler system for elementary, middle, high, severely disabled and non-severely disabled pupils. This Section also defines the criteria for new construction projects to be eligible for the additional grants.

Existing Regulation Section 1859.72 provides an increase in the new construction grant for therapy area for severely disabled individuals with exceptional needs. The proposed amendments increase the additional grant amounts per square foot for toilet facilities and all other facilities to be in alignment with the fire code requirements.

Existing Regulation Section 1859.73.2 provides direction to school districts seeking to increase capacity on small sites typically located in urban areas. The proposed amendments increase the additional grant amounts per square foot for toilet facilities and all other facilities to be in alignment with the fire code requirements.

Proposed adoption of Regulation Section 1859.78.4 establishes the additional grant increase for modernization project plans that include an automatic fire detection/alarm system for elementary, middle, high, severely disabled and non-severely disabled pupils. This Section also defines the criteria for modernization projects to be eligible for the additional grants.

Existing Regulation Section 1859.82 establishes the criteria a district must meet to be eligible for facility hardship funding. It also establishes the square footage amounts for replacement facilities and specific timeframes for application submittal. The proposed amendments increase the grant amounts per square foot for toilet facilities and all other facilities to be in alignment with the fire code requirements.

Existing Regulation Section 1859.107 provides for the withdrawal and re-submittal of applications in order to benefit from changes in the law or regulations. The proposed amendments provide direction to school districts if adjustments to the Form SAB 50-04,

Application for Funding, are necessary as a result of new construction or modernization projects qualifying for additional fire code requirement funding.

Proposed adoption of Regulation Section 1859.108 establishes the criteria by which portable classrooms can receive up to an additional three-year extension of the fire code requirement exemption.

IMPACT ON LOCAL AGENCIES OR SCHOOL DISTRICTS

The Executive Officer of the SAB has determined that the proposed regulations do not impose a mandate or a mandate requiring reimbursement by the state pursuant to Part 7 (commencing with Section 17500) of Division 4 of the Government Code. It will not require local agencies or school districts to incur additional costs in order to comply with the proposed regulations.

ECONOMIC IMPACT

The Executive Officer of the SAB has assessed the potential for significant adverse economic impact on businesses or private persons that might result from the proposed regulatory action and the following determinations have been made relative to the required statutory categories:

- The SAB has made an initial determination that there will be no significant, statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.
- There will be no impact on the creation or elimination of jobs within the state, the creation of new businesses or the elimination of existing businesses or the expansion of businesses in California.
- The SAB is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- There will be no non-discretionary costs or savings to local agencies.
- There will be no costs to school districts except for the required district contribution toward each project as stipulated in statute.
- There will be no costs or savings in federal funding to the state.
- There are no costs or savings to any State agency.
- The SAB has made an initial determination that there will be no impact on housing costs.

EFFECT ON SMALL BUSINESSES

It has been determined that the adoption of the regulation sections will not affect small businesses in the ways identified in subsections (a)(1)–(4) of

Section 4, Title 1, CCR. These regulations only apply to school districts for purposes of funding school facility projects.

SUBMISSION OF COMMENTS, DOCUMENTS AND ADDITIONAL INFORMATION

Any interested person may present statements, arguments or contentions, in writing, submitted via U.S. mail, e-mail or fax, relevant to the proposed regulatory action. Written comments submitted via U.S. mail, e-mail or fax, must be received at the OPSC no later than November 11, 2002 at 5:00 p.m. The express terms of the proposed regulations as well as the Initial Statement of Reasons are available to the public.

Written comments, submitted via U.S. mail, e-mail or fax, regarding the proposed regulatory action, requests for a copy of the proposed regulatory action or the Initial Statement of Reasons, and questions concerning the substance of the proposed regulatory action should be addressed to:

Lisa Jones,
Regulation Coordinator

Mailing Address: Office of Public School
Construction
1130 K Street, Suite 400
Sacramento, CA 95814

E-mail Address: lisa.jones@dgs.ca.gov

Fax No.: (916) 445-5526

AGENCY CONTACT PERSONS

General or substantive questions regarding this Notice of Proposed Regulatory Action may be directed to Lisa Jones at (916) 322-1043. If Ms. Jones is unavailable, these questions may be directed to the backup contact person, Dennis Boydstun, at (916) 322-0327.

ADOPTION OF REGULATIONS

Please note that, following the public comment period, the SAB may adopt the regulations substantially as proposed in this notice or with modifications, which are sufficiently related to the originally proposed text and notice of proposed regulatory activity. If modifications are made, the modified text with the changes clearly indicated will be made available to the public for at least 15 days prior to the date on which the SAB adopts the regulations.

The modified regulation(s) will be made available and provided to: all persons who testified at and who submitted written comments at the public hearing, all persons who submitted written comments during the public comment period, and all persons who requested notification from the agency of the availability of such

changes. Requests for copies of any modified regulation should be addressed to the agency's regulation coordinator identified above. The SAB will accept written comments on the modified regulations during the 15-day period.

SUBSTANTIAL CHANGES WILL REQUIRE A NEW NOTICE

If, after receiving comments, the SAB intends to adopt the regulations with modifications not sufficiently related to the original text, the modified text will not be adopted without complying anew with the notice requirements of the Administrative Procedure Act.

RULEMAKING FILE

Pursuant to Government Code Section 11347.3, the SAB is maintaining a rulemaking file for the proposed regulatory action. The file currently contains:

1. A copy of the text of the regulations for which the adoption is proposed in ~~strikeout~~/underline.
2. A copy of this notice.
3. A copy of the Initial Statement of Reasons for the proposed adoption.
4. The factual information upon which the SAB is relying in proposing the adoption.

As data and other factual information, studies, reports or written comments are received, they will be added to the rulemaking file. The file is available for public inspection at the OPSC during normal working hours. Items 1 through 3 are also available on the OPSC Internet Web site at: <http://www.opsc.dgs.ca.gov> under "Regulations," then click on "Proposed Regulations."

ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), the SAB must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of the SAB would be more effective in carrying out the purpose of which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AVAILABILITY OF THE FINAL STATEMENT OF REASONS

Upon its completion, the Final Statement of Reasons will be available and copies may be requested from the agency's regulation coordinator named in this notice or may be accessed on the Web site listed above.

TITLE 13. AIR RESOURCES BOARD

NOTICE OF PUBLIC HEARING TO CONSIDER THE INCORPORATION OF FEDERAL EXHAUST EMISSION STANDARDS FOR 2008 AND LATER MODEL-YEAR HEAVY-DUTY GASOLINE ENGINES AND THE ADOPTION OF MINOR AMENDMENTS TO THE LOW-EMISSION VEHICLE REGULATIONS

The Air Resources Board (Board or ARB) will conduct a public hearing at the time and place noted below to consider incorporation of federal exhaust emission standards for 2008 and later model-year heavy-duty gasoline engines and minor administrative amendments to the exhaust emission regulations for light-, medium-, and heavy-duty vehicles and engines. Proposed amendments to the Low-Emission Vehicle II (LEV II) regulations for light- and medium-duty vehicles include a requirement that fuel-fired heaters used in conventional vehicles meet the same standards as those used in zero-emission vehicles, modifications to the allowable maintenance schedule for test vehicles and some administrative amendments including modifications to the labeling specifications. The proposed amendments pertaining to heavy-duty diesel engines consist of a non-substantive reorganization and update to the certification requirements and test procedures.

DATE: November 14, 2002

TIME: 9:00 a.m.

PLACE: California Environmental Protection
Agency
Air Resources Board
Auditorium, Second Floor
1001 "I" Street
Sacramento, CA 95814

This item will be considered at a two-day meeting of the ARB, which will commence at 9:00 a.m., November 14, 2002, and may continue at 8:30 a.m., November 15, 2002. This item may not be considered until November 15, 2002. Please consult the agenda for the meeting, which will be available at least 10 days before November 14, 2002, to determine the day on which this item will be considered.

This facility is accessible to persons with disabilities. If accommodation is needed, please contact ARB's Clerk of the Board at (916) 322-5594, or Telecommunications Device for the Deaf (TDD) (916) 324-9531 or (800) 700-8326 for TDD calls from outside the Sacramento area, by October 31, 2002, to ensure accommodation.

INFORMATIVE DIGEST OF PROPOSED ACTION AND POLICY STATEMENT OVERVIEW

Sections Affected: Amendments to title 13, California Code of Regulations (CCR), section 1961, and the incorporated "California Exhaust Emission Stan-

dards and Test Procedures for 2001 and Subsequent Model Passenger Cars, Light-Duty Trucks, and Medium-Duty Vehicles” as last amended July 30, 2002; section 1965 and the incorporated “California Motor Vehicle Emission Control and Smog Index Label Specifications” as last amended November 22, 2000; section 1956.8 and the incorporated “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Otto-Cycle Engines” as last amended December 27, 2000; sections 1956.1 and 1956.8 and the incorporated “California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines” as last amended December 8, 2000; and section 1978 and the incorporated “California Refueling Emission Standards and Test Procedures for 2001 and Subsequent Model Motor Vehicles.” Adoption of the new “California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines,” to be incorporated in section 1956.1 and 1956.8 and the new “California Smog Index Label Specifications for 2004 and Subsequent Model Passenger Cars and Light-Duty Trucks,” to be incorporated in section 1965.

Proposed Amendments Affecting Heavy-Duty Otto-Cycle Engines

Background: In the January 18, 2001 Federal Register (66 Fed. Reg. 5002), the U.S. Environmental Protection Agency (U.S. EPA) published new regulations designed to reduce emissions of non-methane hydrocarbons (NMHC), oxides of nitrogen (NOx), carbon monoxide (CO), and particulate matter (PM) from heavy-duty Otto-cycle (gasoline) engines over 8,500 pounds gross vehicle weight (GVW). The new regulations, applicable in the 2008 model year, reduce NMHC plus NOx from a combined standard of 1.0 gram per brake horsepower-hour (g/bhp-hr) to separate standards of 0.14 g/bhp-hr for NMHC and 0.20 g/bhp-hr for NOx. They also lower the CO standard from 37.1 g/bhp-hr to 14.4 g/bhp-hr and establish a particulate matter (PM) standard of 0.01 g/bhp-hr. Recognizing that California would benefit from adopting the new federal emission standards for heavy-duty gasoline engines, staff is currently proposing to harmonize California’s heavy-duty gasoline engine exhaust emission standards with the federal standards.

Description of the Proposal: Although the federal regulations treat all heavy-duty Otto-cycle engines as one category over 8,500 pounds GVW, California’s regulations divide these engines into two categories—engines used in incomplete medium-duty Otto-cycle vehicles 8,501 to 14,000 pounds GVW and engines used in heavy-duty vehicles greater than 14,000 pounds GVW. Engines used in incomplete medium-

duty Otto-cycle vehicles must meet either ultra-low-emission vehicle (ULEV) or super-ultra-low-emission vehicle (SULEV) emission standards. The proposed federal standards would apply to engines used in both heavy-duty vehicles and in ULEV medium-duty vehicles for NMHC (0.14 g/bhp-hr), NOx (0.20 g/bhp-hr), and PM (0.01 g/bhp-hr). The CO standard (14.4 g/bhp-hr), applicable to engines used in heavy-duty Otto-cycle vehicles, would also be aligned with the federal standard (the new federal CO standard is identical to the current CO standard applicable to engines used in incomplete ULEV medium-duty vehicles). Staff is also proposing new optional standards for medium-duty SULEV engines of 0.07 g/bhp-hr for NMHC, 0.10 g/bhp-hr for NOx, and 0.005 g/bhp-hr for PM that are equal to one half of the proposed ULEV standards. The SULEV emission standards are not required, but are available to a manufacturer to provide more flexibility in implementation of its product line because the more stringent standards could generate extra credits.

Staff is also proposing to align the 2008 and subsequent model year formaldehyde standards applicable to heavy-duty Otto-cycle engines used in both incomplete medium-duty ULEVs and in heavy-duty vehicles with the 2004 and subsequent model year California urban bus engines standards (i.e., 0.010 g/bhp-hr). Staff is also proposing the optional formaldehyde standard of 0.005 g/bhp-hr for medium-duty SULEV engines.

Until the inception of the 2008 model year federal exhaust emission standards for heavy-duty vehicles over 8,500 pounds GVW, California maintained separate and more stringent emission standards, phase-in requirements and credit trading programs for medium-duty vehicles and engines. However, with the adoption in California of the federal 2008 model year engine exhaust emission standards, it is no longer necessary to maintain a separate credit trading program for medium-duty engines in this category. Thus, staff is proposing that manufacturers will be allowed to participate in the federal averaging, banking and trading programs for medium-duty engines between 8,501 and 14,000 pounds GVW and for heavy-duty engines over 14,000 pounds GVW. Medium-duty chassis-certified vehicles will still be certified to the California standards, which are more stringent and provide a mechanism for in-use compliance verification.

Proposed Amendments Affecting Light- and Medium-Duty Vehicles

Background: Following a hearing in November 1998, the ARB adopted the second generation LEV II program. These regulations are a continuation of the Low-Emission Vehicle (LEV I) regulations

originally adopted in 1990 and phased in through the 2003 model year. The LEV II regulations expand the scope of the LEV I regulations by increasing the stringency of the emission standards for all light- and medium-duty vehicles beginning with the 2004 model year, and making the expanded category of light-duty trucks (including almost all sport utility vehicles) subject to the same standards as passenger cars. There are several tiers of increasingly stringent LEV II emission standards to which a manufacturer may certify: low-emission vehicle (LEV), ultra-low-emission vehicle (ULEV), super-ultra low-emission vehicle (SULEV), and zero-emission vehicle (ZEV). In conjunction with the tiers of emission standards, the LEV II regulations provide flexibility for phasing in vehicles meeting the standards. A manufacturer is allowed to choose the standards to which each vehicle model is certified provided its overall fleet meets a fleet average non-methane organic gas (NMOG) requirement that is progressively more stringent with each model year. The LEV II fleet average requirements commence in the 2004 model year and apply through 2010 and beyond.

In 2000 and 2001, the ARB adopted a number of amendments to the LEV II regulations. These included requirements that vehicles sold in California be at least as clean as their federal counterparts, and a number of minor administrative revisions to facilitate the certification efforts for manufacturers and to update test procedures.

Staff is now proposing a number of additional amendments to the LEV II regulations. These are primarily administrative, designed to clarify current regulatory language to facilitate the certification process for manufacturers. Other minor changes being proposed include a requirement that fuel-fired heaters used in conventional vehicles meet the same standards and operational requirements as those used in ZEVs and a change to the allowable maintenance schedule for high-cost emission-related parts. These proposed amendments are discussed below.

Proposed new emissions and testing requirements. The new emissions and testing requirements being proposed are:

1. **Fuel-fired heater requirements.** The LEV II program currently requires that fuel-fired heaters used in ZEVs be certified to the ULEV passenger car standard and are not permitted to operate above 40oF ambient temperature. These requirements were adopted to ensure that equipping vehicles with fuel-fired heaters would not cause an increase in emissions during times when ozone levels are high. While there are no currently certified conventional vehicles equipped with auxiliary fuel-fired heaters, one manufacturer has ap-

proached staff and has indicated its intent to equip its diesel trucks with fuel-fired heaters. This is because very efficient diesel engines may generate very little excess heat that can be used to warm the passenger compartment. If a manufacturer installs an auxiliary fuel-fired heater, the heater would not be subject to any emission requirements under current regulations. Staff is, therefore, proposing that fuel-fired heaters used in light- and medium-duty vehicles be required to meet the same requirements as heaters used in ZEVs. This is a preventive measure to minimize the ozone impact due to use of auxiliary fuel-fired heaters.

2. **Change in maintenance schedule for test vehicles.** To ensure that vehicle emission control systems are durable, ARB regulations establish permitted emission-related scheduled maintenance intervals that a manufacturer must follow when demonstrating durability during certification testing. This information is also provided to a vehicle owner as part of the vehicle maintenance instructions. Currently, manufacturers are allowed to replace (and advise vehicle owners to replace at the owner's expense) a number of emission control components (e.g., the catalytic converter) at 100,000 miles. This first maintenance interval corresponded to the 100,000-mile "full useful life" standards for passenger cars and light-duty trucks under the LEV I program. Under the LEV II program, however, these vehicles must now meet 120,000-mile "full useful life" standards. Staff is accordingly proposing that the first allowable scheduled maintenance interval be aligned with the 120,000-mile "full useful life" requirements of the LEV II program.

Proposed administrative amendments. The proposed administrative amendments include:

1. **Proposed revisions to the California Label Specifications.** Staff is proposing two amendments to the ARB's tune-up label specifications. First, staff is proposing that the requirement for a machine-readable vehicle emission control information (VECI) bar code label be removed and second that the other tune-up label specifications be amended to essentially harmonize with U.S. EPA requirements. The VECI label was originally intended to be used by inspection and maintenance stations to electronically register test results; however the California Smog Check stations do not currently scan the VECI label making this requirement obsolete. Therefore, at the request of manufacturers, staff is proposing that this requirement be removed. The other proposed amendments are administrative in nature because several recent rulemakings have already aligned a large portion of

the California label specifications with federal requirements. This proposed change would move the label requirements from a separate label specification document to the various Test Procedures documents, which will refer to and incorporate the appropriate federal label requirement.

2. **Clarification of regulatory language.** Staff is proposing a number of wording changes to the LEV II regulations to clarify the intent of the regulations. These would not change the substance of the regulations.
3. **On-Board Diagnostics references.** Under the proposed amendments, Test Procedures references to the on-board diagnostics II (OBD II) requirements would be revised to reflect recent OBD II regulatory changes.

Other Proposed Amendments

1. **ORVR requirements.** In its recent decision waiving preemption for the California on-board refueling vapor recovery (ORVR) regulatory requirements, U.S. EPA identified two elements that needed to be revised. The proposed amendments would accordingly provide that (a) only gasoline meeting the federal specifications may be used in ORVR certification testing, and (b) vehicles fueled with natural gas or liquefied petroleum gas are subject to ORVR requirements identical to those in the federal program.
2. **Heavy-Duty Diesel Test Procedures.** Staff is not proposing any substantive modifications to the "California Exhaust Emission Standards and Test Procedures for 1985 and Subsequent Model Heavy-Duty Diesel Engines and Vehicles;" however, staff has updated and reorganized this document to reflect the current requirements in a new format. The new document is entitled, "California Exhaust Emission Standards and Test Procedures for 2004 and Subsequent Model Heavy-Duty Diesel Engines."

AVAILABILITY OF DOCUMENTS AND AGENCY CONTACT PERSONS

The ARB staff has prepared a Staff Report: Initial Statement of Reasons (ISOR) for the proposed regulatory action, which includes a summary of the potential environmental and economic impacts of the proposal, and supporting technical documentation. The staff report is entitled: "Initial Statement of Reasons for Rulemaking, Proposal to Consider the Incorporation of Federal Exhaust Emission Standards for Heavy-Duty Gasoline Engines and the Adoption of Minor Amendments to the Low-Emission Vehicle Regulations."

Copies of the ISOR and full text of the proposed regulatory language, in underline and strike-out format to allow for comparison with the existing regulations, may be obtained from the ARB's Public Information Office, Environmental Services Center, 1001 "I" Street, First Floor, Sacramento, California 95814, (916) 322-2990, at least 45 days prior to the scheduled hearing (November 14, 2002).

Upon its completion, the Final Statement of Reason (FSOR) will be available and copies may be requested from the agency contact persons in this notice, or may be accessed on the web site listed below.

Inquiries concerning the substance of the proposed regulations may be directed to the designated agency contact persons: Paul Hughes, Manager, LEV Implementation Section, Mobile Source Control Division at (626) 575-6977, or staff member Sarah Carter at (626) 575-6845.

Further, the agency representative and designated back-up contact persons to whom non-substantive inquiries concerning the proposed administrative action may be directed are Artavia Edwards, Manager, Board Administration & Regulatory Coordination Unit, (916) 322-6070, or Alexa Malik, Assistant, Board Administration & Regulatory Coordination Unit (916) 322-4011. The Board has compiled a record for this rulemaking action, which includes all the information upon which the proposal is based. This material is available for inspection upon request to the contact persons.

If you are a person with a disability and desire to obtain this document in an alternative format, please contact the Air Resources Board ADA Coordinator at (916) 323-4916, or TDD (916) 324-9531, or (800) 700-8326 for TDD calls from outside the Sacramento area.

This notice, the ISOR, and all subsequent regulatory documents, including the FSOR, when completed, are available on the ARB Internet site for this rulemaking at <http://www.arb.ca.gov/regact/levhdg02/levhdg02.htm>.

COSTS TO PUBLIC AGENCIES AND TO BUSINESSES AND PERSONS AFFECTED

The determinations of the Board's Executive Officer concerning the costs or savings necessarily incurred in reasonable compliance with the proposed regulations are presented below.

The Executive Officer has determined that the proposed regulatory action will not create costs or savings, as defined in Government Code section 11346.5(a)(6), to any state agency or in federal funding to the state, costs or mandate to any local agency or school district whether or not reimbursable by the state pursuant to part 7 (commencing with

section 17500), division 4, title 2 of the Government Code, or other nondiscretionary savings to local agencies.

In developing this regulatory proposal, the ARB staff evaluated the potential economic impacts on representative private persons or businesses. The Executive Officer has made an initial determination that the proposed regulatory action will not have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states, or on representative private persons.

In accordance with Government Code section 11346.3, the Executive Officer has initially determined that the proposed amendments should have minimal impacts on the creation or elimination of jobs within the State of California, minimal impacts on the creation of new businesses and the elimination of existing businesses within the State of California, and minimal impacts on the expansion of businesses currently doing business within the State of California.

In developing this regulatory proposal, the ARB staff evaluated the potential economic impacts of private persons and businesses. As discussed below, the Executive Officer has determined that the proposed regulatory action will not have a significant cost impact on directly affected persons or businesses. A detailed assessment of the economic impacts of the proposed amendments can be found in the ISOR.

With regard to the heavy-duty gasoline engine standards for the 2008 and subsequent model years, U.S. EPA estimated that the new federal standards will result in a less than \$200 cost increase for these engines both in the near term and in the long term. Since a manufacturer will already have to incur these costs for engines sold in the rest of the country, and there would be significant costs incurred in certifying federal and California engines to different standards, adoption of the same standards for California should not result in increased costs for manufacturers. Furthermore, certification data for heavy-duty gasoline engines show that formaldehyde emissions from these engines are already below the 0.010 g/bhp-hr standard being proposed. Therefore, compliance with the new standard should be minimal for manufacturers. Moreover, a manufacturer would be allowed to demonstrate compliance with the formaldehyde and particulate matter standards by providing a statement in its application for certification that its Otto-cycle engines will comply with the applicable standards in lieu of testing the engines (this requirement is consistent with the light- and medium-duty certification requirement).

With regard to the LEV II amendments, the requirements are minor. The new requirements being proposed for fuel-fired heaters used on conventional

vehicles are identical to those requirements currently applicable to fuel-fired heaters used in ZEVs, so it is expected that such heaters will have been designed to meet the ULEV standard. The cost of extending the first allowable maintenance schedule interval for LEV II vehicles will not likely be significant, since the new requirements will only extend the first allowable maintenance time from 100,000 miles to 120,000 miles.

The Executive Officer has also determined, pursuant to Government Code section 11346.5(a)(3)(B), that the proposed regulatory action will affect small business.

In accordance with Government Code section 11346.5(a)(11), the Executive Officer has found that the reporting requirements in the regulations and incorporated documents that apply to businesses are necessary for the health, safety, and welfare of the people of the State.

Before taking final action on the proposed regulatory action, the Board must determine that no alternative considered by the agency or that has otherwise been identified and brought to the attention of the Agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

SUBMITTAL OF COMMENTS

The public may present comments relating to this matter orally or in writing at the hearing, and in writing or by e-mail before the hearing. To be considered by the Board, written submissions not physically submitted at the hearing must be received no later than **12:00 noon, November 13, 2002**, and addressed to the following:

Postal Mail is to be sent to:

Clerk of the Board
Air Resources Board
1001 "I" Street, 23rd Floor
Sacramento, California 95814

Electronic mail is to be sent to: levhdg02@listserv.arb.gov and received at the ARB by no later than **12:00 noon, November 13, 2002**.

Facsimile submissions are to be transmitted to the Clerk of the Board at (916) 322-3928 and received at the ARB no later than **12:00 noon, November 13, 2002**.

The Board requests, but does not require, 30 copies of any written statement be submitted and that all written statements be filed at least 10 days prior to the hearing so that ARB staff and Board Members have time to fully consider each comment. The ARB encourages members of the public to bring any

suggestions for modification of the proposed regulatory action to the attention of staff in advance of the hearing.

STATUTORY AUTHORITY

This regulatory action is proposed under that authority granted in sections 39600, 39601, 43013, 43018, 43100, 43101, 43102, 43104, 43105, 43806 of the Health and Safety Code, and section 28114 of the Vehicle Code. This action is proposed to implement, interpret and make specific sections 39002, 39003, 39667, 43000, 43000.5, 43009, 43009.5, 43013, 43018, 43100, 43101, 43101.5, 43102, 43103, 43104, 43105, 43106, 43107, 43204, 43205, 43205.5, and 43806 of the Health and Safety Code, and section 28114 of the Vehicle Code.

HEARING PROCEDURES

The public hearing will be conducted in accordance with the California Administrative Procedure Act, title 2, division 3, part 1, chapter 3.5 (commencing with section 11340) of the Government Code. Following the public hearing, the ARB may adopt the regulatory language as originally proposed or with nonsubstantial or grammatical modifications. The ARB may also adopt the proposed regulatory language with other modifications if the text as modified is sufficiently related to the originally proposed text that the public was adequately placed on notice that the regulatory language as modified could result from the proposed regulatory action. In the event that such modifications are made, the full regulatory text, with the modifications clearly indicated, will be made available to the public for written comment at least 15 days before it is adopted. The public may request a copy of the modified regulatory text from the ARB's Public Information Office, Environmental Services Center, 1001 "I" Street, First Floor, Sacramento, California 95814, (916) 322-2990.

TITLE 13. DEPARTMENT OF MOTOR VEHICLES

NOTICE IS HEREBY GIVEN

The Department of Motor Vehicles (the department) proposes to adopt Section 150.04, Pickup Trucks in Chapter 1, Division 1, Article 3 of Title 13, California Code of Regulations.

PUBLIC HEARING

A public hearing regarding this proposed regulatory action is not scheduled. However, a public hearing will be held if any interested person or his or her duly authorized representative requests a public hearing to be held relevant to the proposed action by submitting

a written request to the contact person identified in this notice no later than 5:00 P.M., fifteen (15) days prior to the close of the written comment period.

DEADLINE FOR WRITTEN COMMENTS

Any interested person or his or her duly authorized representative may submit written comments relevant to the proposed regulations to the contact person identified in this notice. All written comments must be received at the department no later than 5:00 P.M. on November 11, 2002, the final day of the written comment period, in order for them to be considered by the department before it adopts the proposed regulations.

AUTHORITY AND REFERENCE

The department proposes to adopt the proposed action under the authority granted by Vehicle Code section 1651, in order to implement, interpret or make specific Vehicle Code section 471.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Vehicle Code Section 471 defines pickup trucks. Automobile manufactures are currently selling vehicles that convert from a sport utility vehicle to an open box-type vehicle or have the front appearance of a sport utility vehicle with a permanent open box-type design in the back of the motor vehicle.

The department has determined that both types of vehicles meet the statutory definition of pickup truck. The department proposes a definition in regulation that includes examples of manufacturers and line models of specific vehicles. Section 150.04 will identify specific body types that are included under the statutory definition of a pickup truck.

DOCUMENTS INCORPORATED BY REFERENCE

There are no documents to be incorporated by reference.

FISCAL IMPACT STATEMENT

- Cost Or Savings To Any State Agency: None.
- Other Non-Discretionary Cost or Savings to Local Agencies: None.
- Costs or Savings in Federal Funding to the State: None.
- Cost Impact on Representative Private Persons or Businesses: The department is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Effect on Housing Costs: None.

DETERMINATIONS

The department has made the following initial determinations concerning the proposed regulatory action:

- The proposed regulatory action has no effect which would have a significant statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states. The regulatory action proposed by the department adds definition to phrases that are currently in the Vehicle Code. No studies or data were relied upon in support of this proposal.
- The adoption of this regulation will neither create nor eliminate jobs or businesses in the state of California, will not result in the elimination of existing businesses, and will neither reduce nor expand businesses currently doing business in the state of California.
- The proposed regulatory action will not impose a mandate on local agencies or school districts, or a mandate that requires reimbursement pursuant to part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- The proposed regulatory action will not affect small businesses because the regulations only provide definition for the existing language used in the Vehicle Code.

PUBLIC DISCUSSIONS OF PROPOSED REGULATIONS

A pre-notice workshop, pursuant to Government Code section 11346.45, is not required because the issues addressed in the proposal are not so complex or large in number that they cannot easily be reviewed during the comment period.

ALTERNATIVES CONSIDERED

The department must determine that no reasonable alternative considered by the department or that has otherwise been identified and brought to the attention of the department would be more effective in carrying out the purpose for which the action is proposed, or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Inquiries relevant to the proposed action and questions on the substance of the proposed regulations should be directed to the department representative, Christie Patrick, Department of Motor Vehicles, P.O. Box 932382, Mail Station E-244, Sacramento, California 94232-3820; telephone number (916) 657-5567, or cpatrick@dmv.ca.gov. In the absence of the department representative, inquiries may be directed to the Regulations Coordinator, Deborah Baity, at

(916) 657-5690 or e-mail dbaity@dmv.ca.gov. The fax number for the Regulations Branch is (916) 657-1204.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The department has prepared an initial statement of reasons for the proposed action, and has available all the information upon which the proposal is based. The contact person identified in this notice shall make available to the public upon request the express terms of the proposed action using underline or italics to indicate additions to, and strikeout to indicate deletions from, the California Code of Regulations. The contact person identified in this notice shall also make available to the public upon request the final statement of reasons once it has been prepared and submitted to the Office of Administrative Law, and the location of public records, including reports, documentation and other materials related to the proposed action. In addition, the above-cited materials (Initial Statement of Reasons and Express Terms) may be accessed at www.dmv.ca.gov, Other Services, Legal Affairs Division, Public Comments web page.

AVAILABILITY OF MODIFIED TEXT

Following the written comment period, and the hearing if one is held, the department may adopt the proposed regulations substantially as described in this notice. If modifications are made which are sufficiently related to the originally proposed text, the full modified text with changes clearly indicated shall be made available to the public for at least 15 days prior to the date on which the department adopts the resulting regulations. Request for copies of any modified regulations should be addressed to the department contact person identified in this notice. The department will accept written comments on the modified regulations for 15 days after the date on which they are first made available to the public.

TITLE 14. BOARD OF FORESTRY AND FIRE PROTECTION

NOTICE OF PROPOSED RULEMAKING

Tahoe Exemption—2002

The Board of Forestry and Fire Protection (Board) proposes to adopt the regulations described below after considering all comments, objections, and recommendations regarding the proposed action.

PROPOSED REGULATORY ACTION

The Board proposes to amend the following section of Title 14 of the California Code of Regulations (14 CCR):

§ 1038(f)(15) Exemptions

PUBLIC TELECONFERENCE HEARING

The Board will hold a public teleconference hearing starting at 10:00 A.M. on Wednesday, November 13, 2002.

The public may attend at any of the three following locations:

Resources Building Conference Room 1506,
1416 Ninth Street,
Sacramento, California;

Fortuna Headquarters Conference Room
118 Fortuna Blvd.
Fortuna, California; or

Redding Headquarters Conference Room 2
6501 Airport Road
Redding, California

At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed action described in the *Informative Digest*. The Board requests, but does not require, that persons who make oral comments at the hearing also submit a summary of their statements. Additionally, pursuant to Government Code § 11125.1, any information presented to the Board during the open hearing in connection with a matter subject to discussion or consideration becomes part of the public record. Such information shall be retained by the Board and shall be made available upon request.

WRITTEN COMMENT PERIOD

Any person, or authorized representative, may submit written comments relevant to the proposed regulatory action to the Board. The written comment period ends at 11:00 A.M., on Tuesday, November 12, 2002. The Board will consider only written comments received at the Board office by that time (in addition to those written comments received at the public hearing). The Board requests, but does not require, that persons who submit written comments to the Board reference the title of the rulemaking proposal in their comments to facilitate review.

Written comments shall be submitted to the following address:

Board of Forestry and Fire Protection
Attn: James L. Mote
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460

Written comments can also be hand delivered to the contact person listed in this notice at the following address:

Board of Forestry and Fire Protection
Room 1506-14
1416 9th Street
Sacramento, CA

Written comments may also be sent to the Board via facsimile at the following phone number:

(916) 653-0989

Written comments may also be delivered via e-mail at the following address:

board.public.comments@fire.ca.gov

AUTHORITY AND REFERENCE

Public Resources Code (PRC) § 4551 authorizes the Board to adopt such rules and regulations as it determines are reasonably necessary to enable it to implement, interpret, or make specific sections 4513, 4516, 4551.5, 4552, 4553, 4562.5, 4562.7, and 4584 of the Public Resources Code.

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Z'berg-Nejedly Forest Practice Act of 1973 (ref. Division 4, Chapter 8 of the Public Resources Code) established the Legislature's concern throughout the State relating to the use, restoration, and protection of the forest resources. The Legislature further recognized that these forest resources furnish recreational opportunities and aesthetic enjoyment, while providing watershed protection. The Legislature declared that it is the policy of the State to encourage responsible forest management that considers the public's need for watershed protection and recreational opportunities alike (ref. PRC § 4512). Furthermore, the Legislature stated its intent to create and maintain an effective and complete system of regulation for all timberlands. This system is to assure the productivity of timberlands and the goal of maximum sustained production of high quality timber products. It is also intended to give consideration to values related to recreation, watershed, wildlife, fisheries, regional economic vitality, employment, and aesthetic enjoyment (ref. PRC § 4513). Public Resources Code § 4551 gives the Board the authority to adopt such rules and regulations which will enable it to carry out its responsibilities to protect soil, air, fish and wildlife, and water resources, including but not limited to streams and lakes.

In November of 1995, the Board adopted regulations to address conditions that developed as a result of the prolonged drought that proceeded the winter of 1994/95. The drought contributed to increased levels of forest insects and disease and caused severe tree mortality in the Lake Tahoe Basin. This created conditions that could have resulted in a catastrophic fire and subsequent flooding, soil erosion, and significant impacts to other vital resources in the area. At that time, the Board desired to give landowners greater flexibility to remove insect and disease damaged timber while the drought effects still linger.

The existing exemption regulations under 14 CCR § 1038(b) regarding the percent volume limit for removal of dead and dying trees could have hindered hazard reduction in the Lake Tahoe Basin. The greatest potential impact identified at that time was to water quality. Lake Tahoe is recognized by the federal government as an Outstanding National Resource Water. As such, no permanent or long-term reduction in water quality is allowed. Unless properly mitigated, logging activities could have potentially degraded water quality in the lake or its tributaries.

The regulations adopted by the Board in 1995 were part of a strengthened effort by a number of agencies to reduce fuel hazard in the Tahoe Basin. The rules that existed prior to that decision (especially 14 CCR § 1038) were viewed as a disincentive to landowners removing dead and dying trees by requiring the expense and time for preparation and review of a timber harvest plan for volumes of dead and dying trees in excess of 10 percent. In adopting the new rules in 1995, the Board established specific criteria for the exemption for harvesting dead and dying trees within the affected area and established a "sunset" for the regulation, which would allow the regulating agencies to continue to monitor the effects of the drought and the critical conditions related to tree mortality in the Lake Tahoe Basin consistent with policies of the Tahoe Regional Planning Agency (TRPA). At that time, a period of five (5) years was deemed appropriate to treat the lingering effects of the drought.

Since 1995, the various agencies and groups working to maintain and enhance the health of the forest in the Lake Tahoe Basin for the protection of the beneficial uses of water and other resources in the area (i.e. CDF, TRPA, and the Forest Health Consensus Group (FHCG)) have been monitoring the conditions related to forest health. Conditions similar to those that led the Board to adopt special rules in 1995 continue to be of concern in the area. The Department has twice requested that the Board extend the effective period of the rules under 14 CCR § 1038(f) for a period of two (2) years. Now the Department has requested that the Board extend the effective period of the rules under 14 CCR § 1038(f) for an indefinite period to eliminate the need to renew these rules every two years. This rulemaking action proposes to make the rules permanent. When the conditions in the Tahoe Basin change such that the rules are no longer needed the Board will rescind these rules.

14 CCR § 1038(f)(15)

Exemption

(in addition to those written comments received at the public hearing).

Pursuant to 14 CCR § 1038(f), persons who conduct timber operations for the removal of dead or dying trees on parcels of 20 acres or less in size within the

Lake Tahoe Basin, that are not part of a larger parcel of land in the same ownership, are currently exempt from the plan preparation and submission requirements (PRC 4581) and from the completion report and stocking report requirements (PRC 4585 and 4587) of the Forest Practice Act. However, the regulations under this section of the Forest Practice Rules will expire January 1, 2003. The Board proposes to make these regulations permanent. This change is presented under subsection (f)(15).

DISCLOSURES REGARDING THE PROPOSED ACTION

The Board has determined the proposed action will have the following effects:

- Mandate on local agencies and school districts: None
- Costs or savings to any State agency: None
- Cost to any local agency or school district which must be reimbursed in accordance with the applicable Government Code (GC) sections commencing with GC § 17500: None
- Other non-discretionary cost or savings imposed upon local agencies: None
- Cost or savings in federal funding to the State: None
- Significant statewide adverse economic impact on business, including the ability of California businesses to compete with businesses in other states: The Board has made an initial determination that there will be no significant statewide adverse economic impact directly effecting business, including the ability of California businesses to compete with businesses in other states.
- Cost impacts on representative private persons or businesses: The Board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.
- Significant effect on housing costs: None
- Adoption of these regulations will not: (1) create or eliminate jobs within California; (2) create new businesses or eliminate existing businesses within California; or (3) affect the expansion of businesses currently doing business within California.
- Effect on small business: None. The Board has determined that the proposed amendments will have no effect small business.
- The proposed rules do not conflict with, or duplicate Federal regulations.

BUSINESS REPORTING REQUIREMENT

The regulation does not require a report, which shall apply to businesses.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code § 11346.5(a)(13), the Board must determine that no reasonable alternative it considers or that has otherwise been identified and brought to the attention of the Board would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

CONTACT PERSON

Requests for copies of the proposed text of the regulations, the *Initial Statement of Reasons*, modified text of the regulations and any questions regarding the substance of the proposed action may be directed to:

Board of Forestry and Fire Protection
Attn: James L. Mote
Regulations Coordinator
P.O. Box 944246
Sacramento, CA 94244-2460
Telephone: (916) 653-9418 or,
(916) 653-8007

The designated backup person in the event Mr. Mote is not available is Daniel Sendek, Executive Officer of the Board of Forestry and Fire Protection, at the above address and phone.

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS

The Board has prepared an *Initial Statement of Reasons* providing an explanation of the purpose, background, and justification for the proposed regulations. The statement is available from the contact person on request.

When the *Final Statement of Reasons* has been prepared the statement will be available from the contact person on request.

A copy of the express terms of the proposed action using UNDERLINE to indicate an addition to the California Code of Regulations and ~~STRIKETHROUGH~~ to indicate a deletion, is also available from the contact person named in this notice.

The Board will have the entire rulemaking file, including all information considered as a basis for this proposed regulation, available for public inspection and copying throughout the rulemaking process at its office at the above address. All of the above referenced information is also available on the CDF web site at:

[http://www.fire.ca.gov/BOF/board/
board_proposed_rule_packages.html](http://www.fire.ca.gov/BOF/board/board_proposed_rule_packages.html)

AVAILABILITY OF CHANGED OR MODIFIED TEXT

After holding the hearing and considering all timely and relevant comments received, the Board may adopt the proposed regulations substantially as described in this notice. If the Board makes modifications which

are sufficiently related to the originally proposed text, it will make the modified text-with the changes clearly indicated-available to the public for at least 15 days before the Board adopts the regulations as revised. Notice of the comment period on changed regulations, and the full text as modified, will be sent to any person who:

- a) testified at the hearings,
- b) submitted comments during the public comment period, including oral comments received at the public hearing, or
- c) requested notification of the availability of such changes from the Board of Forestry and Fire Protection.

Requests for copies of the modified text of the regulations may be directed to the contact person listed in this notice. The Board will accept written comments on the modified regulations for 15 days after the date on which they are made available.

TITLE 14. COACHELLA VALLEY MOUNTAINS CONSERVANCY

NOTICE OF INTENTION TO ADOPT A CONFLICT OF INTEREST CODE

NOTICE IS HEREBY GIVEN that the Coachella Valley Mountains Conservancy intends to adopt a conflict of interest code pursuant to Government Code Section 87302. Pursuant to Government Code Sections 87300-87302, the code will designate Board members and employees who must disclose certain investments, income, interests in real property and business positions, and who must disqualify themselves from making or participating in the making of governmental decisions affecting those interests. By a resolution adopted at its September 9, 2002 meeting, the Coachella Valley Mountains Conservancy authorized its staff to submit the proposed conflict of interest code to the Office of Administrative Law along with any other materials which the Office of Administrative Law requires be submitted.

A written comment period has been established commencing on September 27, 2002, and terminating on November 11, 2002. Any interested person may present written comments concerning the proposed code no later than November 11, 2002, to the Coachella Valley Mountains Conservancy, c/o the Contact Person set forth below. No public hearing on this matter will be held unless any interested person or his or her representative, by contacting the Contact Person set forth below, requests a public hearing no later than fifteen (15) days prior to the close of the written comment period.

The Coachella Valley Mountains Conservancy has prepared a written explanation of the reasons for the designations and the disclosure responsibilities and has available all of the information upon which its proposal is based.

Copies of the proposed code and all of the information upon which it is based may be obtained from the Coachella Valley Mountains Conservancy, c/o the Contact Person set forth below. Any inquiries concerning the proposed code shall likewise be directed to the Coachella Valley Mountains Conservancy, c/o the Contact Person set forth below.

The Coachella Valley Mountains Conservancy has determined that this proposal:

- (1) Imposes no mandate on local agencies or school districts.
- (2) Imposes no costs or savings to any state agency.
- (3) Imposes no costs to any local agency or school district in which reimbursement is required under Part 7 (commencing with Section 17500) of Division 4 of the Government Code.
- (4) Will not result in any nondiscretionary cost or savings imposed on local agencies.
- (5) Will not result in any costs or savings in federal funding to the state.
- (6) Will not have any potential cost impact on private persons, businesses or small business

In making this proposal, the Coachella Valley Mountains Conservancy must determine that no alternative considered by the agency would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

Contact Person: All inquiries concerning this proposal and any communications required by this notice should be directed to the Coachella Valley Mountains Conservancy, care of:

Clara L. Slifkin
Deputy Attorney General
California Department of Justice
300 S. Spring Street, Suite 5212
Los Angeles, California 90013
Telephone: 213.897.9442

TITLE 16. BOARD OF PSYCHOLOGY

(DEPARTMENT OF CONSUMER AFFAIRS)

NOTICE IS HEREBY GIVEN that the Board of Psychology (hereinafter "board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at

a hearing to be held at the Department of Consumer Affairs, Greg Gorges Conference Room, 1424 Howe Avenue, Sacramento, California, at 10:00 a.m., on November 16, 2002. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office not later than 5:00 p.m. on Thursday, November 14, 2002, or must be received by the board at the hearing. The board, upon its own motion or at the instance of any interested party, may thereafter adopt the proposals substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

Authority and Reference: Pursuant to the authority vested by Section 2930 of the Business and Professions Code, and to implement, interpret or make specific Sections 2960, 2960.05, 2960.1, 2960.5, 2960.6, 2961, 2962, 2963, 2964, 2964.3, 2964.5, 2964.6, 2965, 2966, 2969, Business and Professions Code, and Section 11425.50(e) of the Government Code, the board is considering changes to Division 13.1 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Government Code Section 11425.50(e) provides that a penalty in an administrative disciplinary action may not be based on a guideline unless the guideline has been adopted as a regulation. To conform to this requirement, the board previously adopted "Disciplinary Guidelines as amended 4/1/99," which set forth proposed penalties for various violations of the Psychology License Law.

This proposal would incorporate by reference the Disciplinary Guidelines as amended by the board on 9/1/02.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 through 17630 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations would affect small businesses.

CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

**INITIAL STATEMENT OF REASONS
AND INFORMATION**

The board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board of Psychology at 1422 Howe Avenue, Suite 22, Sacramento, California 95825.

**AVAILABILITY AND LOCATION OF THE
FINAL STATEMENT OF REASONS
AND RULEMAKING FILE**

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Kathy Bradbury
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-0712
Fax No.: (916) 263-2697
E-Mail Address: kathy_bradbury@dca.ca.gov

The backup contact person is:

Name: Jeff Thomas
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-1617
Fax No.: (916) 263-2697
E-Mail Address: jeff_thomas@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Kathy Bradbury at (916) 263-0712.

Website Access: Materials regarding this proposal can be found at www.psychboard.ca.gov.

**TITLE 16. BOARD
OF PSYCHOLOGY**

DEPARTMENT OF CONSUMER AFFAIRS

NOTICE IS HEREBY GIVEN that the Board of Psychology (hereinafter "board") is proposing to take the action described in the Informative Digest. Any person interested may present statements or arguments orally or in writing relevant to the action proposed at a hearing to be held at 1424 Howe Avenue, Greg Gorges Conference Room, Sacramento, CA 95825 at 10:00 a.m., on November 16, 2002. Written comments, including those sent by mail, facsimile, or e-mail to the addresses listed under Contact Person in this Notice, must be received by the board at its office not later than 5:00 p.m. on Thursday, November 14, 2002, or must be received by the board at the hearing. The board, upon its own motion or at the instance of any interested party, may thereafter adopt the propos-

als substantially as described below or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption from the person designated in this Notice as contact person and will be mailed to those persons who submit written or oral testimony related to this proposal or who have requested notification of any changes to the proposal.

AUTHORITY AND REFERENCE

Pursuant to the authority vested by Section 2930, Business and Professions Code, and to implement, interpret, or make specific sections 2960 and 2961 of said code, the Board of Psychology is considering changes to Division 13.1 of Title 16 of the California Code of Regulations as follows:

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Section 1393 of the California Code of Regulations addresses the requirement for psychologists on probation to be subject to surveillance or monitoring of their probation. The regulation currently states that psychologists are subject to surveillance by the Medical Board of California.

Effective July 1, 2000, the Board of Psychology began operating its own probation program. This proposal would amend the regulation to accurately reflect that psychologists placed on probation are now required to report to the Board of Psychology's probation program and the assigned probation monitor. The Medical Board of California no longer provides any probation monitoring services for the Board of Psychology.

FISCAL IMPACT ESTIMATES

Fiscal Impact on Public Agencies Including Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State: None

Nondiscretionary Costs/Savings to Local Agencies: None

Local Mandate: None

Cost to Any Local Agency or School District for Which Government Code Sections 17500 through 17630 Requires Reimbursement: None

Business Impact:

The board has made an initial determination that the proposed regulatory action would have no significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states.

AND

The following studies/relevant data were relied upon in making the above determination: None

Impact on Jobs/New Businesses:

The board has determined that this regulatory proposal will not have a significant impact on the creation of jobs or new businesses or the elimination of jobs or existing businesses or the expansion of businesses in the State of California.

Cost Impact on Representative Private Person or Business:

The board is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

Effect on Housing Costs: None

EFFECT ON SMALL BUSINESS

The board has determined that the proposed regulations would affect small businesses.

CONSIDERATION OF ALTERNATIVES

The board must determine that no reasonable alternative which it considered or that has otherwise been identified and brought to its attention would either be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposal described in this Notice.

Any interested person may present statements or arguments orally or in writing relevant to the above determinations at the above-mentioned hearing.

INITIAL STATEMENT OF REASONS AND INFORMATION

The board has prepared an initial statement of the reasons for the proposed action and has available all the information upon which the proposal is based.

TEXT OF PROPOSAL

Copies of the exact language of the proposed regulations and of the initial statement of reasons, and all of the information upon which the proposal is based, may be obtained at the hearing or prior to the hearing upon request from the Board of Psychology at 1422 Howe Avenue, Suite 22, Sacramento, California 95825.

AVAILABILITY AND LOCATION OF THE FINAL STATEMENT OF REASONS AND RULEMAKING FILE

All the information upon which the proposed regulations are based is contained in the rulemaking file which is available for public inspection by contacting the person named below.

You may obtain a copy of the final statement of reasons once it has been prepared, by making a written request to the contact person named below or by accessing the website listed below.

CONTACT PERSON

Inquiries or comments concerning the proposed administrative action may be addressed to:

Name: Kathy Bradbury
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-0712
Fax No.: (916) 263-2697
E-Mail Address: kathy_bradbury@dca.ca.gov

The backup contact person is:

Name: Mary Laackmann
Address: 1422 Howe Avenue, Suite 22
Sacramento, CA 95825
Telephone No.: (916) 263-2691
Fax No.: (916) 263-2697
E-Mail Address: mary_laackmann@dca.ca.gov

Inquiries concerning the substance of the proposed regulations may be directed to Kathy Bradbury at (916) 263-0712.

Website Access: Materials regarding this proposal can be found at www.psychboard.ca.gov.

**TITLE 19. OFFICE OF
EMERGENCY SERVICES**

Public Safety

Division 2. Office of Emergency Services

Chapter 2. Emergencies and Major Disaster

**Subchapter 4. Dam Inundation
Mapping Procedures**

NOTICE IS HEREBY GIVEN that the Governor's Office of Emergency Services (OES) proposes to adopt the regulatory procedures described below after considering all public comments, objections and recommendations.

PROPOSED REGULATORY ACTION

OES proposes to adopt the following Subchapter 4 and the following sections therein to Chapter 2, Division 2, Title 19 of the California Code of Regulations. The adopted regulations will provide standards for the implementation of Government Code Section 8589.5. The regulations have been previously adopted as Emergency Regulations that will expire on January 10, 2003; this proceeding is designed to adopt them permanently. The regulatory sections proposed for adoption are:

§ 2575 Short Title

- § 2575.1 Purpose and Scope of Regulations
- § 2575.2 Definitions
- § 2576 Notification
- § 2576.1 Method of Notification

- § 2577 Requirement for Map
- § 2577.1 Responsibility
- § 2577.2 Civil Engineering
- § 2577.3 Standard Requirements
- § 2577.4 Content of Technical Study
- § 2577.5 Content of Map
- § 2577.6 Enlargement of Dams
- § 2577.7 Notice of Noncompliance
- § 2577.8 Notice of Approval
- § 2578 Waiver from Inundation Map Requirement
- § 2578.1 Application for Waiver
- § 2578.2 Local Consultation
- § 2578.3 Notice of Determination

PUBLIC HEARING

OES has scheduled a public hearing on this proposed action as follows:

November 12, 2002—

Sacramento—8:00–10:00 a.m.

OES Headquarters—Multi Purpose Room 2
(East side)

3650 Schriever Ave.

Mather, CA 95655

The hearing room is accessible to persons with mobility impairments, and can be made accessible to persons with hearing or vision impairments upon a 15-day advance request to the OES contact person. Maps of the location are also available on request.

Oral or written comments will be accepted at the hearing. We request that oral comments made at the hearing above be also provided in writing to OES staff at the hearing or by the end of the comment period. If you plan to attend the hearing above, please contact Lindsey Hamilton at (916) 845-8738 so that OES may accommodate all potential interested participants

WRITTEN COMMENT PERIOD

Any interested person, or his/her authorized representative, may submit written comments relevant to the proposed regulatory action to OES. The 45 day written comment period opens September 27, 2002 and closes at 5:00 p.m. on November 11, 2002. OES will consider only comments received at the OES office by that time. You may submit written comments as follows:

Mr. Robert Mead
Planning and Technological Assistance Branch
Governor's Office of Emergency Services
Post Office Box 419023
Rancho Cordova, CA 95741-9023
Facsimile: (916) 845-8737
E-mail: Robert.Mead@oes.ca.gov

AUTHORITY AND REFERENCE

In accordance with Title 2, Division 1, Chapter 7, Sections 8567 and 8586 of the Government Code, the OES Director has the authority to adopt regulations to

govern the administration of the Dam Inundation Mapping Program, in order to implement, interpret or make specific Government Code sections 8589.5

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

The Dam Safety Act, codified as Government Code Section 8589.5 was passed to establish procedures for emergency evacuation and control of populated areas below dams. The Dam Safety Act provides for the development of inundation maps by dam owners, map approval by OES, and development of emergency procedures by local governments to evacuate and control the risk areas. The Dam Safety Act requires that dam owners provide OES with a map of areas that might be flooded if a dam fails. OES reviews the maps and provides them to the affected local jurisdictions. The Act requires that these local jurisdictions develop emergency evacuation plans. This program also provides for a waiver from the inundation mapping requirement under certain conditions. OES is responsible for assuring that the waiver and exemption conditions are current.

In accordance with Title 2, Division 1, Chapter 7, Sections 8567 and 8586 of the Government Code, the OES Director has the authority to adopt regulations to implement this program. OES proposes to add a Subchapter to Title 19, Division 2, Chapter 2 of the California Code of Regulations (CCR) as detailed below to allow for consistency of application of the statute, as well as effect a standardized program that best meets the needs of local agencies in California to plan for evacuation.

Specifically, OES proposes the following sections:

§ 2575 Short Title—This is the name by which the regulations will be known.

§ 2575.1 Purpose and Scope of Regulations—This information explains why OES wants the regulations, what dams are affected and that these regulations do not limit the other powers of OES.

§ 2575.2 Definitions—This section provides a meaning of the words used in the regulations.

§ 2576 Notification—This explains when the dam owner will be notified of the requirement to produce a map.

§ 2576.1 Method of Notification—This explains that the owner will be notified in writing. If the dam owner can't be notified in writing, OES will do its best to notify the dam owner in some other way.

§ 2577 Requirement for Map—Government Code section 8589.5 requires the dam owner to produce an inundation map. This regulation requires that the map meet certain requirements. These requirements for a map must be supported by a technical study.

§ 2577.1 Responsibility—The dam owner will be responsible for collecting the scientific information for making the map. The dam owner will also be responsible for updating and correcting the map.

§ 2577.2 Civil Engineering—This requires that a registered Civil Engineer or equivalent prepare the technical study and map.

§ 2577.3 Standard Requirements—This tells the dam owner:

- when to submit information for the first time;
- when to answer a request from OES;
- when OES requirements for a map has been satisfied;
- that OES does not require the submission of unnecessary information;
- that OES is allowed to extend the time to comply with these rules;
- that OES will not approve incomplete maps; and,
- that a final copy of the map OES says is approved must be provided to OES.

§ 2577.4 Content of Technical Study—This tells the dam owner:

- the information that must be considered in doing the technical study in preparation for doing an inundation map; and,
- requires that the dam owner tell OES how the results of the technical study were obtained.

§ 2577.5 Content of Map—This identifies:

- the type of map(s) allowed;
- the information that must be put on the map; and,
- where on the map that information must be placed.

§ 2577.6 Enlargement of Dams—This tells the dam owner if a dam or reservoir is made bigger:

- the type of information the dam owner must submit;
- the time in which he/she must give OES the information requested; and
- based on the information provided by the dam owner, OES may request a new inundation map. That the new map must be of the same standard as a map for a newly constructed dam.

§ 2577.7 Notice of Noncompliance—OES will tell the dam owner if they have not met the requirements in the regulations. OES will also tell the dam owner if an existing inundation map no longer meets the purpose of the law. In that case, the dam owner must provide a map that does meet specific standards in law.

§ 2577.8 Notice of Approval—OES will tell the dam owner in writing if their map is approved or not approved and explain why.

§ 2578 Waiver from Inundation Map Requirement—A dam owner can apply to OES to receive a waiver from producing an inundation map. A waiver may be given if a dam owner prepared map is not needed to see the effects of a dam failure and evacuation plans can be done without the map.

§ 2578.1 Application for Waiver—This identifies what information is needed for a waiver. This also tells how to apply for a waiver from inundation mapping.

§ 2578.2 Local Consultation—OES will consult with local officials to see if a waiver should be given to a dam owner.

The Office of Administrative Law approved the proposed regulations as emergency regulations on September 12, 2002.

OTHER MATTERS PRESCRIBED BY STATUTES APPLICABLE TO THE SPECIFIC STATE AGENCY OR TO ANY SPECIFIC REGULATION OR CLASS OF REGULATIONS

Government Code 8989.4 provides that the area of potential flooding shown on the inundation map produced as a result of Government Code 8989.5 shall be disclosed to any prospective transferee of property that is located in the area of potential flooding as specified in the statute.

MANDATE ON LOCAL AGENCIES OR SCHOOL DISTRICTS

OES staff has determined that compliance with the proposed regulations do not result in any additional mandate to schools and local agencies above that required in the statute.

FISCAL IMPACT

Costs or savings to any state agency: OES staff has determined that compliance with the proposed regulations should not result in additional cost to public agencies when they are acting to comply with statute. Savings may occur due to the reduction in staff time because of standardized criteria for the preparation of an inundation map.

Cost to any local agency or school district that must be reimbursed in accordance with Government Code Section 17561: OES staff has determined that compliance with the proposed regulations should not result in any additional cost to schools and local agencies.

Other non-discretionary cost or savings imposed upon local agencies: OES staff has determined that compliance with the proposed regulations could indirectly result in cost savings to public agencies due to the reduction in staff time used to evaluate criteria and standards for the preparation of an inundation map.

Cost or savings in federal funding to the state: OES staff has determined that compliance with the pro-

posed regulations should not result in additional federal cost or savings to public agencies when they are acting to comply with statute.

Statement of Referenced Material: OES will provide material referenced in the regulations or the source where the material is readily available to the public on request.

EFFECT ON HOUSING COSTS

OES staff has determined that these regulations will have no impact on the cost of housing. The reporting requirement, which may impose costs for disclosure reports on Dam Inundation areas, is contained in Civil Code section 1103 and is not a part of these regulations.

SIGNIFICANT STATEWIDE ADVERSE ECONOMIC IMPACT DIRECTLY AFFECTING BUSINESS, INCLUDING ABILITY TO COMPETE

OES has made an initial determination that the Dam Inundation Mapping Procedures Regulations will not have any significant statewide adverse economic impact directly affecting business, including ability to compete.

ASSESSMENT ON EFFECT ON JOBS AND BUSINESS EXPANSION, ELIMINATION OR CREATION

OES has determined that the Dam Inundation Mapping Procedures Regulations will have negligible positive impact on (a) the creation or elimination of jobs, (b) the creation of new businesses, and (c) the expansion of existing businesses, (d) nor contribute to the elimination of an existing business within the State of California.

COST IMPACTS ON REPRESENTATIVE PERSON OR BUSINESS

OES is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the Dam Inundation Mapping Procedures Regulations above those incurred in compliance with the statute.

BUSINESS REPORT

OES finds that the regulation requiring technical report substantiating the inundation map is necessary for the health, safety and welfare of the people of the State of California that such regulation apply to business.

SMALL BUSINESS

OES has determined that the proposed regulations will not affect small business. The purpose of these regulations is to provide information to local agencies to plan for evacuations in the event of a dam failure. The governing statute was enacted in 1973. Since the requirements of the statute have been in effect for over

twenty five years, it has been determined that small businesses will not be affected by the proposed regulation beyond their past statutory responsibility.

CONSIDERATION OF ALTERNATIVES

In accordance with Government Code Section 11346.5(a)(13), OES must determine that no reasonable alternative it considered or that has otherwise been identified and brought to the attention of OES would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

OES invites interested persons to present statements or arguments with respect to alternatives to the proposed regulations at the scheduled hearing or during the written comment period.

CONTACT PERSONS

Written comments and inquiries concerning the substance of the regulations may be directed to:

Robert Mead
Planning and Technological Assistance Branch
Governor's Office of Emergency Services
Post Office Box 419023
Rancho Cordova, CA 95741-9023
Telephone: (916) 845-8766
Facsimile: (916) 845-8737

Inquiries concerning the rulemaking process or other non-technical questions may be directed to:

Primary Contact: Wendy Gibson (916) 845-8773

AVAILABILITY OF STATEMENT OF REASONS AND TEXT OF PROPOSED REGULATIONS/ INTERNET ACCESS

Pursuant to the California Government Code, OES has established a rulemaking file for this regulatory action, which contains those items required by law. The file is available for inspection at the Governor's Office of Emergency Services offices located at 3650 Schreiver Avenue, Mather, California, during normal working hours. As of the date this notice is published in the Notice Register, the rulemaking file consists of this notice, the proposed text of the regulations, and the Initial Statement of Reasons. Copies may be obtained by contacting Lindsey Hamilton (916) 845-8738 or by accessing our Web site at the following address listed below.

15 DAY AVAILABILITY OF CHANGED OR MODIFIED TEXT

After the written comment period ends and following a public hearing, OES may adopt the Dam Inundation Mapping Procedures Regulations substantially as described in this Notice, without further notice. If OES makes modifications that are sufficiently related to the originally proposed text, it will

make the modified text (with changes clearly indicated) available to the public (including through the OES website as described above) for at least 15 days before OES adopts the Dam Inundation Mapping Procedures Regulations, as modified. Inquiries about and requests for written copies of any changed or modified regulations should be addressed to the agency contact person identified in the Notice.

AVAILABILITY OF FINAL STATEMENT OF REASONS

OES is required to prepare a Final Statement of Reasons pursuant to Government Code Section 11346.9. When the Final Statement of reasons is prepared, you may obtain a copy by contacting the agency person listed above or by accessing our Web site listed below.

INTERNET ACCESS

OES has posted on its website (www.oes.ca.gov) information and text regarding the proposed regulatory action. Select "Title 19" from the topics listed on the home page and scroll to the Dam Inundation Mapping Regulations section. This will connect you to web page links containing the information regarding the proposed regulatory action.

TITLE MPP. DEPARTMENT OF SOCIAL SERVICES

ITEM #1 Cash Assistance Program for Immigrants
Amendments
ORD #0102-01

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held November 13, 2002, as follows:

November 13, 2002
Office Building # 9
744 P St. Auditorium
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by telefax to the address/number listed below. All comments must be received by 5:00 p.m. on November 13, 2002.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are attached/available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Anthony J. Velasquez, Chief
Office of Regulations Development
California Department of Social Services
744 P Street, MS7-192
Sacramento, California 95814
TELEPHONE: (916) 657-2586
TELEFAX: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

MPP Chapter 49-000 [Cash Assistance Program for Immigrants (CAPI)], Section 49-005 (Special Definitions), Section 49-020 (Immigration Status), Section 49-035 (Income), Section 49-037 (Sponsor Deeming), and Section 49-040 (Resources); and Chapter 80-300 (Definitions and Forms), Section 80-310 (Definitions—Forms)

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

These regulations implement and make specific the provisions of Assembly Bill (AB) 429 (Chapter 111, Statutes of 2001), which permanently extended a previously time-limited component of the Cash Assistance Program for Immigrants (CAPI), and established a 10-year sponsor-deeming period for the previously time-limited component of CAPI. This component of CAPI provides program eligibility for non-citizens who entered the United States (U.S.) on or after August 22, 1996 and either do not have a sponsor or whose sponsor is not deceased, disabled, or

abusive. The provisions were not placed in regulations when they were first introduced in 1999 (Chapters 147 and 148, Statutes of 1999) because they were temporary in the initial statute. Likewise, the statutory exclusion to sponsor-deeming for persons who are victims of abuse by either the sponsor or the sponsor's spouse (also introduced in 1999) was not placed in regulations. These regulations are needed to: 1) formalize the provisions extending and expanding eligibility for immigrants who entered the U.S. on or after August 22, 1996; 2) establish the 10-year sponsor-deeming period required by AB 429 for the latter group; and 3) establish the deeming exception for immigrants who are victims of abuse. These provisions were previously implemented by all-county letters (ACLs).

These regulations are also needed to establish the indigence exception to sponsor-deeming for immigrants whose sponsor has stopped providing sufficient support to enable the immigrant to obtain food and shelter. These regulations are needed to comply with federal law and Supplemental Security Income/State Supplementary Payment (SSI/SSP) regulations, which under Welfare and Institutions Code Section 18940, govern CAPI. These regulations also change the rules for deeming of income and resources when the immigrant's sponsor is also an ineligible spouse or parent. This is also done to comply with SSI/SSP regulations.

COST ESTIMATE

1. Costs or Savings to State Agencies: The Fiscal Year 2001–02 estimate in the May 2002 revise includes \$12,128,000 for the implementation of the regulations governing the extended CAPI.
2. Costs to Local Agencies or School Districts: None.
3. Nondiscretionary Costs or Savings to Local Agencies: No fiscal impact exists because this regulation does not affect any local entity or program.
4. Federal Funding to State Agencies: No fiscal impact exists because this regulation does not affect any federally funded State agency or program.

LOCAL MANDATE STATEMENT

These regulations impose a mandate upon county welfare departments to administer the program, but not upon local school districts. Welfare and Institutions Code Section 18942 requires CDSS to reimburse the counties for the cost of actual CAPI payments and for any administrative costs actually attributable to those payments.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide

adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

**STATEMENT OF POTENTIAL COST IMPACT
ON PRIVATE PERSONS OR BUSINESSES**

CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

**ASSESSMENT OF JOB CREATION
OR ELIMINATION**

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553, 10554 and 18943, Welfare and Institutions Code. Subject regulations implement and make specific Sections 18938, 18940, and 18944, Welfare and Institutions Code; 20 CFR 416.1160, 416.1166a, and 416.1204; 8 U.S.C. Section 1631; and Social Security Administration's Program Operations Manual System, Sections SI 00502.240, SI 00502.280, SI 01320.910, SI 01320.915, and SI 01320.920.

**CDSS REPRESENTATIVE REGARDING
RULEMAKING PROCESS OF THE
PROPOSED REGULATION**

Contact Person: Anthony J. Velasquez
(916) 657-2586

Backup: Robin Garvey
(916) 657-2586

**CDSS REPRESENTATIVE REGARDING
SUBSTANCE OF THE PROPOSED REGULATION**

Program Contact: Marshall Browne
(916) 229-4043

Backup: Vickey Walker
(916) 229-4596

**AGENDA ITEM(S) FOR THIS
PUBLIC HEARING—November 13, 2002**

ITEM #1 ORD #0102-01

Cash Assistance Program for Immigrants
Amendments

ITEM #2 ORD #0602-01

Supportive Transitional Emancipation Program (STEP) Regulations

**TITLE MPP. DEPARTMENT
OF SOCIAL SERVICES**

**ITEM #2 Supportive Transitional Emancipation
Program (STEP) Regulations
ORD #0602-14**

CDSS hereby gives notice of the proposed regulatory action(s) described below. Any person interested may present statements or arguments orally or in writing relevant to the proposed regulations at a public hearing to be held November 13, 2002, as follows:

November 13, 2002
Office Building # 9
744 P St. Auditorium
Sacramento, California

The public hearing will convene at 10:00 a.m. and will remain open only as long as attendees are presenting testimony. The Department will adjourn the hearing immediately following the completion of testimony presentations. The above-referenced facility is accessible to persons with disabilities. If you are in need of a language interpreter at the hearing (including sign language), please notify the Department at least two weeks prior to the hearing.

Statements or arguments relating to the proposals may also be submitted in writing, e-mail, or by facsimile to the address/number listed below. All comments must be received by 5:00 p.m. on November 13, 2002.

CDSS, upon its own motion or at the instance of any interested party, may adopt the proposals substantially as described or may modify such proposals if such modifications are sufficiently related to the original text. With the exception of nonsubstantive, technical, or grammatical changes, the full text of any modified proposal will be available for 15 days prior to its adoption to all persons who testify or submit written comments during the public comment period, and all

persons who request notification. Please address requests for regulations as modified to the agency representative identified below.

Copies of the express terms of the proposed regulations and the Initial Statement of Reasons are available from the office listed below. This notice, the Initial Statement of Reasons and the text of the proposed regulations are available on the internet at <http://www.dss.cahwnet.gov/ord>. Additionally, all the information which the Department considered as the basis for these proposed regulations (i.e., rulemaking file) is available for public reading/perusal at the address listed below.

Following the public hearing, copies of the Final Statement of Reasons will be available from the office listed below.

CONTACT: Anthony J. Velasquez, Chief
Office of Regulations Development
California Department of Social Services
744 P Street, MS 7-192
Sacramento, California 95814
TELEPHONE: (916) 657-2586
FACSIMILE: (916) 654-3286
E-MAIL: ord@dss.ca.gov

CHAPTERS

Manual of Policies and Procedures (MPP), Division 90 (KINSHIP GUARDIANSHIP ASSISTANCE PAYMENT PROGRAM), Chapter 90-200 [SUPPORTIVE TRANSITIONAL EMANCIPATION PROGRAM (STEP)], Sections 90-200 (STEP PURPOSE), 90-205 (DEFINITIONS), 90-210 (STEP ELIGIBILITY REQUIREMENTS), 90-215 (COUNTY RESPONSIBILITIES), AND 90-220 (STEP RATES).

INFORMATIVE DIGEST/POLICY STATEMENT OVERVIEW

Assembly Bill (AB) 427, Chapter 125, Statutes of 2001, created the Supportive Transitional Emancipation Program (STEP) which promotes self-sufficiency by providing an assistance payment to emancipated foster youth until their 21st birthday under specified circumstances and helps to support a vulnerable population at risk of homelessness, unemployment, welfare dependency and incarceration. Youth participating in the Kinship Guardianship Assistance Payment Program (Kin-GAP) are also eligible for the STEP when they emancipate.

The Aid to Families with Dependent Children—Foster Care (AFDC-FC) Program provides a payment to foster youth until their 18th birthday (can be extended to 19 under certain circumstances). The STEP provides a monthly stipend and medical benefits to these youths until their 21st birthday under specified circumstances. STEP will also provide a case worker for the child who will assist in the development of a

STEP—Transitional Independent Living Plan (TILP) which outlines the child's goals for transitioning to adulthood including education and employment. These funds and services will help the former foster youth to finish their high school education, attend a college or technical training program, or develop work skills to become self supporting. By allowing the youth to finish their schooling and/or gain work skills, the youth will be more likely to acquire gainful employment and be less likely to end up homeless, incarcerated, or dependent upon public assistance.

These proposed regulations implement STEP pursuant to AB 427. This includes the adoption of regulations to provide definitions, STEP eligibility requirements, STEP county responsibilities, and STEP rates.

COST ESTIMATE

1. Costs or Savings to State Agencies: Additional expenditures of approximately \$819,000 are already included in the current State Fiscal Year (2002–2003).
2. Costs to Local Agencies or School Districts: Additional expenditures of approximately \$1,176,000 have already been budgeted in the current State Fiscal Year (2002–2003) which are reimbursable by the State pursuant to Section 6 of Article XIII B of the California Constitution and Sections 17500 et seq. of the Government Code. Funding for this reimbursement is provided in Item 101, Budget Act of 2001 or Chapter 125, Statutes of 2001.
3. Nondiscretionary Costs or Savings to Local Agencies: None.
4. Federal Funding to State Agencies: No fiscal impact because this regulation does not affect any federally funded State agency or program.

LOCAL MANDATE STATEMENT

These regulations do constitute a mandate on local agencies, but not on local school districts. Local agency participation in STEP is optional. If the local agency chooses to participate in STEP then there are state-mandated local costs that require reimbursement, which is provided in the Budget Act.

STATEMENT OF SIGNIFICANT ADVERSE ECONOMIC IMPACT ON BUSINESS

CDSS has made an initial determination that the proposed action will not have a significant, statewide adverse economic impact directly affecting businesses, including the ability of California businesses to compete with businesses in other states.

STATEMENT OF POTENTIAL COST IMPACT
ON PRIVATE PERSONS OR BUSINESSES

CDSS is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

SMALL BUSINESS IMPACT STATEMENT

CDSS has determined that there is no impact on small businesses as a result of filing these regulations because these regulations are only applicable to state and county agencies.

ASSESSMENT OF JOB CREATION
OR ELIMINATION

The adoption of the proposed amendments will neither create nor eliminate jobs in the State of California nor result in the elimination of existing businesses or create or expand businesses in the State of California.

STATEMENT OF EFFECT ON HOUSING COSTS

The proposed regulatory action will have no effect on housing costs.

STATEMENT OF ALTERNATIVES CONSIDERED

CDSS must determine that no reasonable alternative considered or that has otherwise been identified and brought to the attention of CDSS would be more effective in carrying out the purpose for which the regulations are proposed or would be as effective and less burdensome to affected private persons than the proposed action.

AUTHORITY AND REFERENCE CITATIONS

CDSS adopts these regulations under the authority granted in Sections 10553 and 10554 of the Welfare and Institutions Code. Subject regulations implement and make specific Sections 300, 601, 602, 10554, 11135 through 11139.5, 11363, 11401, and 11403.1 of the Welfare and Institutions Code.

CDSS REPRESENTATIVE REGARDING
RULEMAKING PROCESS OF THE
PROPOSED REGULATION

Contact Person: Anthony J. Velasquez
(916) 657-2586

Backup: John Flores
(916) 657-2586

CDSS REPRESENTATIVE REGARDING
SUBSTANCE OF THE PROPOSED REGULATION

Program Contact: Ty Starks Morgan
(909) 782-6600

Backup: Jack Stroppini
(916) 322-5949

AGENDA ITEM(S) FOR THIS PUBLIC
HEARING—November 13, 2002

ITEM #1 ORD #0102-01
Cash Assistance Program for Immigrants
Amendments

ITEM #2 ORD #0602-01
Supportive Transitional Emancipation Pro-
gram (STEP) Regulations

GENERAL PUBLIC INTEREST

AIR RESOURCES BOARD

**NOTICE OF PUBLIC HEARING TO
CONSIDER AN APPLICATION FOR A
VARIANCE FROM THE REGULATION FOR
REDUCING VOLATILE ORGANIC
COMPOUND EMISSIONS FROM PORTABLE
FUEL CONTAINERS AND SPOUTS**

At the direction of the Executive Officer of the California Air Resources Board, a public hearing will be conducted at the time and place noted below to consider an application for a variance from the requirement of complying with the applicable performance standards specified in the Portable Fuel Containers and Spill-Proof Spouts (the "Portable Fuel Containers and Spouts Regulation"; Title 13, California Code of Regulations, sections 2467–2476.8).

DATE: October 30, 2002

TIME: 9:00 a.m.

PLACE: California Environmental Protection
Agency
Headquarters Building
Administrative Hearing Room 107
1001 I Street
Sacramento, California 95814

Section 2467.2 (a) prohibits the sale, supply, offer for sale, or manufacturing for sale in California on or after January 1, 2001, any portable fuel container or portable fuel container and spout which, at the time of sale or manufacture, does not meet all performance standards for spill-proof systems. These performance standards include an automatic closure requirement for spill-proof systems and spill-proof spouts as required by section 2467.2 (a)(2). In addition, Section 2467.6 of the Portable Fuel Containers and Spouts Regulation allows any person who cannot comply with the requirements of section 2467.2 due to extraordinary reasons beyond the person's reasonable control, to apply to the Executive Officer for a variance. The criteria and procedures for granting a variance are specified in section 2467.6.

The applicant listed below has applied for a variance under section 2467.6 from the automatic closure requirement for Wedco Moulded Products' (Wedco's) 1.25, 2.5 and 5.0 gallons portable plastic fuel containers and spouts. Models numbers are WCA125P, WCA225P and WCA525P, respectively.

Wedco Moulded Products
7409 South Quincy Street
Willowbrook, IL 60521

The public hearing to consider the variance application will be conducted in accordance with procedures set forth in section 2467.6 of the Portable Fuel Containers and Spouts Regulation. At the hearing, the applicant will be asked to present evidence demonstrating that the criteria for granting a variance have been met. Interested members of the public will be allowed a reasonable opportunity to testify at the hearing. All parties may, but need not, be represented by counsel at the hearing. Subsequent to the hearing, the Executive Officer shall determine whether, under what conditions, and to what extent a variance is necessary and will be permitted.

This facility is accessible to persons with disabilities. If accommodation is needed, please contact Ms. Sandi Linnenbrink at (916) 327-8047. Persons with hearing or speech impairments can contact us by using our Telephone Device for the Deaf (TDD) at (916) 324-9531, or (800) 700-8326 for TDD calls from outside the Sacramento area.

Copies of the Portable Fuel Containers and Spouts Regulation and variance application may be obtained from the Public Information Office, California Air Resources Board, 1001 I Street, Sacramento, California 95812, (916) 322-2990, at least 30 days prior to the scheduled hearing. Further inquiries regarding this matter should be directed to Mr. Steven Giorgi, Manager, Consumer Products Enforcement Section, Enforcement Division, California Air Resources Board, P.O. Box 2815, Sacramento, California, 95812, (916) 322-6965.

DEPARTMENT OF FISH AND GAME

CESA CONSISTENCY DETERMINATION FOR Fort Irwin Road Widening Project San Bernardino County

The Department of Fish and Game ("Department") received notice on August 28, 2002 that the San Bernardino County Department of Public Works proposes to rely on consultations between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act ("CESA"). This project consists of widening the north and south bound driving lanes, adding paved shoulders, and adding passing lanes along 22.3 miles of Fort Irwin Road.

The U.S. Fish and Wildlife Service, on May 3, 2002, issued to the Federal Highway Administration, a no jeopardy federal biological opinion (1-8-02-F-30) which considers the Federally and State threatened desert tortoise (*Gopherus agassizii*) and authorizes incidental take.

Pursuant to California Fish and Game Code Section 2080.1, San Bernardino County is requesting a determination on whether the Federal Biological Opinion 1-8-02-F-30 is consistent with CESA.

If the Department determines that the federal biological opinion is consistent with CESA, San Bernardino County will not be required to obtain an incidental take permit under CESA for the proposed project.

DEPARTMENT OF FISH AND GAME

CESA CONSISTENCY DETERMINATION FOR Prima Deshecha Landfill Landslide Remediation Project Amendment Orange County

The Department of Fish and Game ("Department") received notice on September 5, 2002 that the County of Orange proposes to rely on consultations between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act ("CESA"). This project consists of performing remediation activities including excavation of landslide material and creation of a compacted soil buttress. The activities would result in the filling and relocation of the Prima Deshecha Canada Stream. The request is a result of the issuance of an amendment to the project which considers additional areas of impact and protects other areas previously designated for removal in the original biological opinion (FWS-OR-703.7).

The U.S. Fish and Wildlife Service, on August 2, 2002, issued to the U.S. Army Corps of Engineers, a no jeopardy federal biological opinion (FWS-OR-703.10) which considers the Federally and State endangered least Bell's vireo (*Vireo belliipusillus*), and authorizes incidental take.

Pursuant to California Fish and Game Code Section 2080.1, Orange County is requesting a determination on whether the Federal Biological Opinion FWS-OR-703.10 is consistent with CESA.

If the Department determines that the federal biological opinion is consistent with CESA, Orange County will not be required to obtain an incidental take permit under CESA for the proposed project.

DEPARTMENT OF FISH AND GAME

CESA CONSISTENCY DETERMINATION FOR PG&E Gas Pipeline System Maintenance Project San Bernardino County

The Department of Fish and Game ("Department") received notice on August 27, 2002 that PG&E proposes to rely on consultations between federal agencies to carry out a project that may adversely affect species protected by the California Endangered Species Act ("CESA"). This project consists of maintenance activities along PG&E's natural gas pipelines in the desert region.

The U.S. Fish and Wildlife Service, on January 7, 2000, issued to the Federal Bureau of Land Management, a no jeopardy federal biological opinion (1-8-99-F-71) which considers the Federally and State threatened desert tortoise (*Gopherus agassizii*) and authorizes incidental take.

Pursuant to California Fish and Game Code Section 2080.1, PG&E is requesting a determination on whether the Federal Biological Opinion 1-8-99-F-71 is consistent with CESA.

If the Department determines that the federal biological opinion is consistent with CESA, PG&E will not be required to obtain an incidental take permit under CESA for the proposed project.

DEPARTMENT OF HEALTH SERVICES

NOTICE OF GENERAL PUBLIC INTEREST

REQUEST A STATE PLAN AMENDMENT FOR SUPPLEMENTAL REIMBURSEMENT OF PUBLIC OWNED ADHC FACILITIES AND HOSPITAL OUTPATIENT DEPARTMENTS

This notice is being given to provide information of public interest with respect to Medi-Cal reimbursement for Adult Day Health Care (ADHC) and Hospital Outpatient services provided by public facilities. It is the intent of the Department of Health Services (DHS) to submit a state plan amendment to seek federal approval, to implement a supplemental reimbursement program for participating public owned Medi-Cal facilities as described below.

SUPPLEMENTAL PAYMENTS FOR PUBLIC OWNED ADHC AND ACUTE HOSPITAL OUT- PATIENT DEPARTMENTS

AB 915 adds Section 14105.95 and Section 14105.96 to the Welfare and Institutions Code for the purpose of creating supplemental reimbursement programs by which (1) eligible city, county, city and

county, or health care district owned ADHC facilities can claim federal financial participation based on the difference between their projected costs and what Medi-Cal actually pays under existing programs; and

(2) Eligible city, county, city and county, University of California, and/or health care district outpatient departments of acute care hospitals can claim federal financial participation based on the difference between actual costs as certified to by the facility and what Medi-Cal actually pays under existing programs.

The payments for these programs come solely from federal funds and no state General Funds are expended. A state plan amendment is required to implement these changes which are scheduled to be effective August 1, 2002, after federal approval.

PUBLIC REVIEW

The change discussed above is available for public review at local county welfare offices throughout the State. In addition, copies of this notice may be requested and comments may be sent by writing to Gene Morrow, Acting Chief, Long Term Care Reimbursement Unit, Department of Health Services, 714 P Street, Room 1550, Sacramento, CA 95814.

DEPARTMENT OF TOXIC SUBSTANCES CONTROL

HOUSEHOLD HAZARDOUS WASTE UNIT STATE REGULATORY PROGRAMS DIVISION PUBLIC NOTICE FOR VARIANCE ISSUANCE

On August 30, 2002, the State Regulatory Programs Division of the Department of Toxic Substances Control (DTSC) issued a three-year conditionally exempt small quantity generator (CESQG) transportation and manifesting variance to Butte County's household hazardous waste collection program. Authority for this action is contained in Health and Safety Code, section 25143. The variance authorizes Butte County's household hazardous waste collection facilities to accept, and qualified small businesses to transport, up to 100 kilograms (220 pounds/27 gallons) of hazardous waste at one time per month without meeting registered transporter or hazardous waste manifest requirements. Standards exempted are contained in Health and Safety Code, sections 25163, subsection (a) and 25160 respectively. Transported waste is shipped in accordance with federal Department of Transportation, California Highway Patrol, and California Vehicle Code requirements. For additional information contact Lee Halverson at the Department of Toxic Substances Control, Household Hazardous Waste Unit at (510) 540-3894.

**HOUSEHOLD HAZARDOUS WASTE UNIT
STATE REGULATORY PROGRAMS DIVISION
PUBLIC NOTICE FOR VARIANCE ISSUANCE**

On August 30, 2002, the State Regulatory Programs Division of the Department of Toxic Substances Control (DTSC) issued a three-year variance to the Butte County Household Hazardous Waste Program. Authority for this action is contained in Health and Safety Code, section 25143. The variance authorizes Butte County through their contractor to collect hazardous waste from qualified Conditionally Exempt Small Quantity Generator (CESQG) sites and to transport the wastes using a registered hazardous waste transporter. A receipt is issued to each generator and collected wastes are transported under manifest to authorized household hazardous waste collection facilities operating under permit-by-rule or other authorized facilities. Standards exempted are contained in Health and Safety Code, sections 25160, 25201, subsection (a) and 25218.3, subsection (b). For additional information contact Lee Halverson of the Department of Toxic Substances Control, Household Hazardous Waste Unit at (510) 540-3894.

**HOUSEHOLD HAZARDOUS WASTE UNIT
STATE REGULATORY PROGRAMS DIVISION
PUBLIC NOTICE FOR VARIANCE ISSUANCE**

On August 30, 2002, the State Regulatory Programs Division of the Department of Toxic Substances Control (DTSC) issued a variance renewal to the City of San Rafael Fire Department. Authority for this action is contained in Health and Safety Code, section 25143. The variance renewal was issued to conduct door-to-door household waste collections within Marin County. This variance authorizes the City of San Rafael through their contractor to collect household wastes from the elderly, handicapped residents, and others unable to participate in the regular HHW collection program and are conducted in conjunction with the City's household hazardous waste collection facility authorized under permit-by-rule (PBR). No business or agricultural wastes are collected under this variance. Specific standards exempted are contained in the Health and Safety Code, section 25201 and California Code of Regulations, title 22, division 4.5, chapter 20. The collections are subject to strict operating standards specified in the variance. For additional information contact Lee Halverson at the Department of Toxic Substances Control, Household Hazardous Waste Unit at (510) 540-3894.

**HOUSEHOLD HAZARDOUS WASTE UNIT
STATE REGULATORY PROGRAMS DIVISION
PUBLIC NOTICE FOR VARIANCE ISSUANCE**

On August 30, 2002, the State Regulatory Programs Division of the Department of Toxic Substances Control (DTSC) issued a variance renewal to Kings

Waste and Recycling Authority for an agricultural used oil collection program for Kings County growers. Authority for this action is contained in Health and Safety Code, section 25143. Authorized collection sites include:

Burford Oil Company,
9925—8¾ Avenue, Hanford
Kings County Equipment Co.,
961 East Third Street, Hanford
Orton's Equipment Co.,
20280 Main Street, Stratford
C.L. Bryant Co.,
1130 Pickerell Avenue, Corcoran
Gary V. Burrows, Inc.,
504 Sherman Avenue, Corcoran

This variance authorizes these sites to participate in the agricultural used oil collection program. Standards exempted are contained in Health and Safety Code, section 25201. Additional operating requirements are contained in the variance. Transported waste is shipped in accordance with federal Department of Transportation, California Highway Patrol, and California Vehicle Code requirements. For additional information contact Lee Halverson of at the Department of Toxic Substances Control, Household Hazardous Waste Unit at (510) 540-3894.

DECISION NOT TO PROCEED

BOARD OF PSYCHOLOGY

DECISION NOT TO PROCEED

The Board of Psychology has discontinued rule-making under the Notice published on March 22, 2002, OAL File # Z-02-0311-05, related to the reduction of initial license and biennial renewal fees for psychologists.

STATE ALLOCATION BOARD

NOTICE OF DECISION NOT TO PROCEED

NOTICE IS HEREBY GIVEN that, pursuant to Government Code Section 11347, the State Allocation Board has decided not to proceed with the proposed amendments to Regulation Section 1859.82, Facility Hardship Grant, and Regulation Section 1859.83, Excessive Cost Hardship Grant relating to the Leroy F. Greene School Facilities Act of 1998. The Notice of Proposed Regulatory Action (Notice File No. Z-02-0305-07) was published March 15, 2002, in the California Regulatory Notice Register 2002, Volume No. 11-Z, page 535.

SUMMARY OF REGULATORY ACTIONS

REGULATIONS FILED WITH SECRETARY OF STATE

This Summary of Regulatory Actions lists regulations filed with the Secretary of State on the dates indicated. Copies of the regulations may be obtained by contacting the agency or from the Secretary of State, Archives, 1020 O Street, Sacramento, CA, 95814, (916) 653-7715. Please have the agency name and the date filed (see below) when making a request.

AIR RESOURCES BOARD

California Motor Vehicle Service Information

This action implements Health and Safety Code section 43105.5, requiring automobile manufacturers to make on board diagnostic code information, service tools, and training materials available to parts and tool manufacturers and the automobile service industry in order to encourage competition in the service industry, lower the cost of repairs, and thus promote proper emissions related servicing of vehicles.

Title 13, 17

California Code of Regulations

ADOPT: 1969, 60060.1, 60060.2, 60060.3, 60060.4, 60060.5, 60060.6, 60060.7

Filed 09/12/02

Effective 10/01/02

Agency Contact:

Michael L. Terris (916) 327-2032

AIR RESOURCES BOARD

Lev II—2001

The Air Resources Board adopted California's second generation Low-Emission Vehicle regulations (LEV II) following a November 1998 hearing. These regulations are a continuation of the Low-Emission Vehicle (LEV I) regulations originally adopted in 1990 which were effective through the 2003 model year. The LEV II regulations increase the scope of the LEV I regulations by lowering the emission standards for all light- and medium-duty vehicles (including sport utility vehicles) beginning with the 2004 model year. This regulatory action further modifies the LEV II regulations to promulgate certain new emission standards as well as propose some minor administrative modifications to ease the certification effort for manufacturers.

Title 13

California Code of Regulations

AMEND: 1960.1, 1960.5, 1961, 1962,

Filed 09/16/02

Effective 10/16/02

Agency Contact:

W. Thomas Jennings (916) 322-2884

BOARD OF BEHAVIORAL SCIENCES

Use of License Number in Directories and Advertisements

In this regulatory action, the Board of Behavioral Sciences amends its regulation pertaining to information which must be disclosed by its licensees, registrants, and other regulated persons when these persons advertise their services. The regulation is amended to delete certain references to registered professional corporations and to include the advertising requirements for an unlicensed Associate Clinical Social Worker.

Title 16

California Code of Regulations

AMEND: 1811

Filed 09/13/02

Effective 10/13/02

Agency Contact:

Julie McAuliffe (916) 445-4933 x1142

BOARD OF PHARMACY

Delegation of Certain Functions

The Board of Pharmacy is adopting, amending, and repealing the captioned sections in order to provide numbering changes for the Business and Professions sections which took place in Stats. 1996, Ch. 890, minor sunseting of identical sections, and the removal of sections pertaining to Stats. 2000, Ch. 837 repealing article 8 of Ch. 9, Business and Professions Code pertaining to medical devices in the retail market.

Title 16

California Code of Regulations

ADOPT: 1706.5, Article 5, Article 6, Article 7, Article 8, Article 10, Article 10.1. AMEND: 1703, 1704, 1705, 1706, 1706.1, 1707.1, 1707.3, 1708.2, 1708.3, 1708.4, 1709, 1710, 1715.6, 1716, 1716.1, 1716.2, 1717, 1717.1, 1717.2, 1717.4, 1718, 1718.1, 171

Filed 09/11/02

Effective 10/11/02

Agency Contact:

Debbie Anderson (916) 445-5014

CALIFORNIA POLLUTION CONTROL FINANCING AUTHORITY

Sustainable Communities Grant and Loan Program

The proposed regulatory action is the Certificate of Compliance filing making permanent the prior emergency adoption of procedures for awarding, administering and reporting on grants or loans used for

pollution reduction, assistance of economically distressed communities, and promotion of infill development.

Title 4

California Code of Regulations

ADOPT: 8110, 8111, 8112, 8113, 8114, 8115, 8116, 8117, 8118, 8119, 8120, 8121, 8122, 8123, 8124, 8125

Filed 09/12/02

Effective 09/12/02

Agency Contact: Sherri K. Wahl (916) 654-5951

DEPARTMENT OF JUSTICE

Prepaid Rental Listing Service Bond

The Department of Justice has approved a new surety bond form (sec. 61.8) from the Department of Real Estate for Prepaid Rental Listing Service. It is to be filed pursuant to Governor's decisions of 1981 and 1982.

Title 11

California Code of Regulations

ADOPT: 61.8

Filed 09/18/02

Effective 09/18/02

Agency Contact: Anne M. Burr (415) 703-1403

FAIR POLITICAL PRACTICES COMMISSION

Technical Cleanup

The Fair Political Practices Commission is amending seven sections as nonsubstantive technical cleanup primarily to standardize cross reference citations.

Title 2

California Code of Regulations

AMEND: 18110, 18401, 18404.1, 18451, 18540, 18705.4, 18997

Filed 09/12/02

Effective 09/12/02

Agency Contact: Kelly Winsor (916) 327-0268

FISH AND GAME COMMISSION

Fishery Observers

This action would require that commercial fishing vessels, permitted by the Commission to operate in waters off California and commercial passenger fishing vessels required to be licensed pursuant to statute, carry federal or State fishery observers at no charge. This action would specify safety and working conditions for the observers as they are on board collecting samples and data. A similar provision, applying only to commercial passenger fishing vessels and barges subject to section 195, will be repealed.

Title 14

California Code of Regulations

ADOPT: 105, 5 REPEAL: 195

Filed 09/12/02

Effective 09/12/02

Agency Contact: Robert Treanor

FISH AND GAME COMMISSION

Resident and Upland Game birds and North Coast Canada Goose

This regulatory action amends the permit quotas for resident and upland game birds and north coast Canada geese.

Title 14

California Code of Regulations

AMEND: 300(a) REPEAL: 502.1

Filed 09/18/02

Effective 09/18/02

Agency Contact: John M. Duffy (916) 653-4899

FISH AND GAME COMMISSION

Commercial Spot Prawn Trawling

This emergency regulatory action prohibits the use of trawl gear to take spot prawns.

Title 14

California Code of Regulations

AMEND: 120.3

Filed 09/12/02

Effective 09/12/02

Agency Contact: John M. Duffy (916) 653-4899

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

Use of Safety Monitors

This action would delete the phrase "where practicable" in order to be at least as effective as the comparable federal regulation. The federal standard requires the safety monitor to always be in visual sighting distance of the employee(s) being monitored, not only where practicable.

Title 8

California Code of Regulations

AMEND: 1671.2

Filed 09/12/02

Effective 10/12/02

Agency Contact: Marley Hart (916) 274-5721

OFFICE OF EMERGENCY SERVICES

Dam Inundation Mapping Procedures

This filing is a certificate of compliance for an emergency regulation which established procedures to ensure the timely submission of inundation maps adequate for the purpose of evacuation planning in the event a dam fails.

Title 19

California Code of Regulations

ADOPT: 2575, 2575.1, 2575.2, 2576, 2576.1, 2577, 2577.1, 2577.2, 2577.3, 2577.4, 2577.5, 2577.6, 2577.7, 2577.8, 2578, 2578.1, 2578.2

Filed 09/12/02

Effective 09/12/02

Agency Contact:

Robert M. Mead

(916) 845-8766

OFFICE OF EMERGENCY SERVICES

Dam Inundation Mapping Procedures

This filing is a readoption with some revisions of an emergency regulation which established procedures to ensure the timely submission of inundation maps adequate for the purpose of evacuation planning in the event a dam fails.

Title 19

California Code of Regulations

ADOPT: 2575, 2575.1, 2575.2, 2576, 2576.1, 2577, 2577.1, 2577.2, 2577.3, 2577.4, 2577.5, 2577.6, 2577.7, 2577.8, 2578, 2578.1, 2578.2, 2578.3

Filed 09/12/02

Effective 09/12/02

Agency Contact:

Robert M. Mead (916) 845-8766

STATE ALLOCATION BOARD

**Leroy F. Green School Facilities Act of 1998—
Revised Modernization Program Funding Ratio**

These emergency regulations reflect urgency legislation (AB 16, Chapter 33, Statutes 2002, effective April 29, 2002), which changed the funding ratio for modernization projects from 80%/20% to 60%/40% as of March 15, 2002, increasing school districts' matching responsibilities.

Title 2

California Code of Regulations

AMEND: 1859.79, 1859.79.3, 1859.81.1, 1859.83, 1859.107

Filed 09/16/02

Effective 09/16/02

Agency Contact: Lisa Jones (916) 322-1043

**CCR CHANGES FILED WITH THE
SECRETARY OF STATE
WITHIN MAY 15, 2002
TO SEPTEMBER 18, 2002**

All regulatory actions filed by OAL during this period are listed below by California Code of Regulation's titles, then by date filed with the Secretary of State, with the Manual of Policies and Procedures changes adopted by the Department of Social Services listed last. For further information on a particular file, contact the person listed in the Summary of Regulatory Actions section of the Notice Register published on the first Friday more than nine days after the date filed.

Title 2

09/16/02 AMEND: 1859.79, 1859.79.3, 1859.81.1, 1859.83, 1859.107

09/12/02 AMEND: 18110, 18401, 18404.1, 18451, 18540, 18705.4, 18997

09/09/02 AMEND: 1859.92, 1859.104, 1859.105, 1859.107

08/19/02 ADOPT: 18535

08/14/02 ADOPT: 56, 56.1, 56.2, 56.3, 56.4, 56.5, 56.6, 56.7, 56.8

08/12/02 ADOPT: 57.1, 57.2, 57.3, 57.4

08/12/02 ADOPT: 1859.71.2, 1859.78.4, 1859.108
AMEND: 1859.50, 1859.70, 1859.72, 1859.73.1, 1859.73.2, 1859.74.1, 1859.75.1, 1859.76, 1859.78.2, 1859.79.3, 1859.81, 1859.81.1, 1859.82, 1859.100, 1859.101, 1859.102, 1859.107

08/07/02 ADOPT: 59000

07/31/02 ADOPT: 18450.1

07/25/02 AMEND: 2970

07/11/02 ADOPT: 1859.200, 1859.201, 1859.202, 1859.203, 1859.204, 1859.205, 1859.206, 1859.207, 1859.208, 1859.209, 1859.210, 1859.211, 1859.212, 1859.213, 1859.214, 1859.215, 1859.216, 1859.217, 1859.218, 1859.219, 1859.220

07/11/02 AMEND: 18707.4

07/11/02 AMEND: 554.6

06/27/02 ADOPT: 2351

06/27/02 ADOPT: 18450.3, 18450.4, 18450.5
AMEND: 18402

06/25/02 AMEND: 1189.10

06/20/02 AMEND: 561.2, 561.3

06/20/02 REPEAL: 548.96

06/17/02 AMEND: 18239, 18615, 18616

06/06/02 ADOPT: 18572

05/28/02 ADOPT: 1896.300, 1896.310, 1896.320, 1896.330, 1896.340, 1896.350, 1896.360, 1896.370

05/22/02 AMEND: 571(a)(5)

Title 3

09/10/02 AMEND: 3700(c)

09/09/02 AMEND: 6414

08/30/02 AMEND: 3423(b)

08/29/02 AMEND: 1408.3

08/19/02 ADOPT: 3664, 3665, 3666, 3667, 3668, 3669

08/14/02 AMEND: 6172, 6192, 6200, 6252

08/13/02 AMEND: 3423(b)

07/25/02 AMEND: 3423(b)

07/23/02 ADOPT: 7015

07/18/02 AMEND: 6000, 6710

07/11/02 AMEND: 3700(b)

07/03/02 AMEND: 1392.1, 1392.2, 1392.4, 1392.9.1

07/01/02 ADOPT: 1180.3.1, 1180.3.2 AMEND: 300(c)

06/20/02 REPEAL: 3431, 3591.17

06/13/02 ADOPT: 1366

06/13/02 AMEND: 2303(t)

06/11/02 AMEND: 3425(b)

06/10/02 AMEND: 6391, 6393, 6394, 6395

06/10/02 AMEND: 3406(b)

06/04/02 AMEND: 3591.16(a)
 05/29/02 AMEND: 1380.19, 1436.38, 1446.7,
 1454.14, 1462.15
 05/16/02 AMEND: 1428.12, 1428.16

Title 4

09/12/02 ADOPT: 8110, 8111, 8112, 8113, 8114,
 8115, 8116, 8117, 8118, 8119, 8120,
 8121, 8122, 8123, 8124, 8125
 09/03/02 AMEND: 1107
 08/15/02 ADOPT: 4144
 08/13/02 AMEND: 7000, 7001, 7002, 7003,
 7003.5, 7004, 7005, 7006, 7007, 7008,
 7009, 7010, 7011, 7012, 7013, 7013.1,
 7013.5, 7014, 7015, 7016, 7017
 08/08/02 AMEND: 8072, 8074
 07/30/02 AMEND: 2050
 07/08/02 AMEND: 2049
 07/01/02 ADOPT: 12100, 12102, 12104, 12106,
 12108, 12110, 12120, 12130

Title 5

08/15/02 ADOPT: 11980, 11981, 11982, 11983,
 11984, 11985,
 08/13/02 ADOPT: 11969.10 REPEAL: 11969.9
 07/31/02 AMEND: 30950, 30951.1, 30952, 30953,
 30954, 30955, 30956, 30957, 30958,
 30959
 07/30/02 ADOPT: 11969.1, 11969.2, 11969.3,
 11969.4, 11969.5, 11969.6, 11969.7,
 11969.8, 11969.9
 07/29/02 AMEND: 3051.16, 3065
 07/15/02 AMEND: 80105, 80109, 80110, 80111,
 80112, 80113, 80114, 80115
 07/12/02 AMEND: 51010, 53000, 53001, 53002,
 53003, 53004, 53005, 53006, 53020,
 53021, 53022, 53023, 53024, 53025,
 53026, 53027, 53030, 53033, 53034
 06/28/02 ADOPT: 11983.5
 06/11/02 AMEND: 11530, 11531
 06/05/02 AMEND: 59311, 59328, 59342
 05/21/02 AMEND: 80026.4, 80026.6, 80122
 05/20/02 ADOPT: 55205, 55207, 55209, 55211,
 55213, 55215, 55217, 55219 AMEND:
 55316.5, 58003.1, 58003.3, 58007,
 58009, 58051, 58056 REPEAL: 55317,
 55352, 55370, 55372, 55374, 55376,
 55378, 55380

Title 8

09/12/02 AMEND: 1671.2
 09/09/02 ADOPT: 13635.1, 13655, 13656, 13657,
 13658, 13659 AMEND: 13630, 13631,
 13632, 13633, 13634, 13635, 13637,
 13638, 13639, 13640, 13641, 13642,
 13643, 13644, 13645, 13646, 13647,
 13648, 13649, 13650, 13651, 13652,
 13653, 13654

09/03/02 ADOPT: 20299
 08/26/02 ADOPT: 340.40, 340.41, 340.42, 340.43,
 340.44, 340.45, 340.46, 340.47, 340.48,
 340.49, 340.50, 340.51, 340.52
 08/05/02 AMEND: 3362
 07/31/02 AMEND: 4799
 07/30/02 ADOPT: 290.0, 290.1, 291.0, 291.1,
 291.2, 291.3, 291.4, 291.5, 292.0, 293.0,
 294.0, 295.0
 07/11/02 AMEND: 3241(a)
 07/01/02 ADOPT: 417.5 AMEND: 406, 411.1, 415,
 417.3 REPEAL: 411.2, 411.3, 411.4
 06/20/02 AMEND: 3700, 3702
 06/18/02 AMEND: 5189
 06/12/02 AMEND: 9791.1, 9792.5, 9793, 9795
 06/03/02 AMEND: 4885
 06/03/02 AMEND: 5034(f)
 05/28/02 AMEND: 3650, 3664
 05/20/02 AMEND: 32125, 32130, 32140, 32603,
 32604, 32720, 32735, 32738, 32739,
 32744, 32752, 32763, 32980

Title 9

07/31/02 ADOPT: 9851, 9874 AMEND: 9800,
 9846, 9852, 9854, 9856, 9858, 9867,
 9876, 9884, 9886 REPEAL: 9857
 06/28/02 ADOPT: 9526, 9531 AMEND: 9500,
 9505, 9515, 9530, 9535

Title 10

08/30/02 AMEND: 5101
 08/29/02 AMEND: 2698.200, 2698.201, 2698.301,
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 08/28/02 AMEND: 2698.73
 08/28/02 ADOPT: 2278, 2278, 2278.1, 2278.2,
 2278.3, 2278.4, 2278.5
 08/27/02 AMEND: 2632.5(d)(11)
 08/20/02 ADOPT: 1729, 1741.5, 1950.302
 AMEND: 1741.5
 08/19/02 AMEND: 2130.3
 08/15/02 ADOPT: 5480, 5480.1, 5480.2, 5480.3,
 5480.4, 5480.5, 5480.6, 5480.7, 5480.8
 08/12/02 AMEND: 2318.6, 2353.1
 08/12/02 AMEND: 2318.6
 08/05/02 REPEAL: 310.100.1
 07/10/02 ADOPT: 1422, 1423
 07/02/02 AMEND: 6070
 06/24/02 ADOPT: 2698.68
 06/20/02 AMEND: 2498.6
 06/20/02 ADOPT: 2729.5, 2790.6, 2846.1
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 06/17/02 ADOPT: 2193, 2193.1, 2193.2, 2193.3
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 06/06/02 AMEND: 2698.70, 2698.71 REPEAL:
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 06/03/02 ADOPT: 2187.3 AMEND: 2186.1,
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06/03/02 ADOPT: 2192.1, 2192.2, 2192.3, 2192.4,
2192.5, 2192.6, 2192.7, 2192.8, 2192.9,
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08/29/02 AMEND: 3000, 3001, 3003, 3007, 3008
08/27/02 AMEND: 1070, 1082
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07/02/02 ADOPT: 410, 411, 415, 416, 417, 418,
419, 419.1, 419.2, 419.3, 420, 421, 422,
423, 424, 425, 426 REPEAL: 410, 411,
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06/19/02 ADOPT: 999.10, 999.11, 999.12, 999.13,
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05/24/02 AMEND: 1005
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09/16/02 AMEND: 1960.1, 1960.5, 1961, 1962,
07/25/02 AMEND: 422.01
07/22/02 ADOPT: 2444.2 AMEND: 2111, 2112,
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07/10/02 AMEND: 1213.1, 1230, 1239
07/05/02 ADOPT: 225.00, 225.03, 225.06, 225.09,
225.12, 225.15, 225.18, 225.21, 225.24,
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06/24/02 AMEND: 1270
06/24/02 ADOPT: 1962.1 AMEND: 1900, 1962
06/18/02 AMEND: 1
06/03/02 AMEND: 565
05/24/02 AMEND: 1900, 1960.1 (k), 1961, 1962 &
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09/12/02 ADOPT: 1969, 60060.1, 60060.2,
60060.3, 60060.4, 60060.5, 60060.6,
60060.7

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09/18/02 AMEND: 300(a) REPEAL: 502.1
09/12/02 ADOPT: 105.5 REPEAL: 195
09/12/02 AMEND: 120.3
09/09/02 AMEND: 550, 551, 552
09/09/02 ADOPT: 712
09/04/02 ADOPT: 104.1
08/28/02 ADOPT: 786.7, 786.8 AMEND: 786.0,
786.1, 786.2, 786.3, 786.4, 786.5, 786.6
08/26/02 ADOPT: 18090.0, 18090.1, 18090.2,
18090.3, 18091.1, 18092.0, 18093.0,
18093.1, 18094.0 AMEND: 18011

08/21/02 AMEND: 7.50 (b)(212)
08/13/02 ADOPT: 844.3, 844.4, 844.5 AMEND:
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843.2, 843.3, 843.4, 843.6, 843.7, 843.8,
843.9, 844, 844.1, 844.2, 844.6, 844.7,
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08/12/02 ADOPT: 150.02, 150.04
08/09/02 AMEND: 670.2
08/06/02 AMEND: 28.59
07/31/02 ADOPT: 50.00, 50.01, 50.02, 50.03,
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07/25/02 AMEND: 791.7; Forms FG OSPR-1925,
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07/17/02 AMEND: 2090, 2105, 2420, 2425, 2530,
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07/15/02 ADOPT: 916.13, 936.13, 956.13,
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956.13.7, 916.13.8, 936
07/12/02 AMEND: 895.1, 898, 914.8, 934.8,
954.8, 916, 936, 956, 916.2, 936.2, 956.2,
916.9, 936.9, 956.9, 916.11, 936.11,
956.11, 916.12, 936.12, 956.12, 923.3,
943.3, 963.3, 923.9, 943.9, 963.9
06/28/02 ADOPT: 708 AMEND: 265, 308, 360,
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06/25/02 AMEND: 7.50
06/24/02 AMEND: 791, 791.5, 791.7, 792, 793,
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06/20/02 ADOPT: 17211, 17211.1, 17211.2,
17211.3, 17211.4, 17211.5, 17211.6,
17211.7, 17211.8, 17211.9
06/19/02 AMEND: 2135
06/19/02 AMEND: 2030
06/18/02 AMEND: 11900
06/13/02 ADOPT: 17402.5(c)(6), 17402.5(d)(3)
AMEND: 17400, 17402, 17402.5
06/06/02 ADOPT: 749.1
06/05/02 AMEND: 1.1, 6159, 6170, 6170.5, 6171,
6179, 6184, 6185, 6200, 6206, 6222,
6243, 6254, 6255, 6262
05/30/02 AMEND: 1104.1
05/23/02 ADOPT: 52.10
05/22/02 AMEND: 1037.4, 1092.19
05/21/02 ADOPT: 17367, 17368, 17369, 17370.1,
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06/21/02 AMEND: 18104.8, 18105.9, 18105.10, 21140

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08/27/02 ADOPT: 3375.5 AMEND: 3000, 3375, 3375.1, 3375.2, 3375.3, 3375.4, 3377

08/19/02 ADOPT: 3426

07/24/02 ADOPT: 3220.2, 3220.3 AMEND: 3220, 3220.1

07/12/02 AMEND: 3000, 3454, 3456, 3457, 3458, 3459, 3460, 3462, 3463, 3464

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09/13/02 AMEND: 1811

09/11/02 ADOPT: 1706.5, Article 5, Article 6, Article 7, Article 8, Article 10, Article 10.1. AMEND: 1703, 1704, 1705, 1706, 1706.1, 1707.1, 1707.3, 1708.2, 1708.3, 1708.4, 1709, 1710, 1715.6, 1716, 1716.1, 1716.2, 1717, 1717.1, 1717.2, 1717.4, 1718, 1718.1, 171

09/10/02 AMEND: 331-12.2(e)

09/10/02 AMEND: 1305, 1306, 1328

09/09/02 AMEND: 438

08/20/02 AMEND: 1382.3

08/08/02 AMEND: 1707.2

08/07/02 ADOPT: 4140, 4141, 4142, 4143

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07/31/02 AMEND: 2473

07/30/02 AMEND: 1399.523

07/26/02 AMEND: 3340.16, 3340.16.5, 3340.17, 3340.32, 3340.42, 3340.50 REPEAL: 3340.16.7

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06/12/02 ADOPT: 4, 9, 12, 12.5, 13, 14 AMEND: 6, 7, 9, 9.1, 10, 11.5, 37, 50

06/03/02 AMEND: 2034, 2036

05/29/02 ADOPT: 980.1 AMEND: 974

05/28/02 AMEND: 3340.42

05/24/02 ADOPT: 832.06 AMEND: 832.05

05/21/02 AMEND: 2006

05/21/02 ADOPT: 2412 AMEND: 2411, 2418

05/21/02 ADOPT: 1356.5

05/16/02 AMEND: 832.54

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09/04/02 ADOPT: 94200, 94201, 94202, 94203, 94204, 94205, 94206, 94207, 94208, 94209, 94210, 94211, 94212, 94213, 94214

08/29/02 AMEND: 57332

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08/20/02 ADOPT: 93112

08/19/02 ADOPT: 94164, 94165 AMEND: 94010, 94011, 94153, 94155, 94163,

08/08/02 AMEND: 58420

08/08/02 AMEND: 30253

07/22/02 ADOPT: 93105

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06/28/02 AMEND: 6508

06/10/02 AMEND: 90700, 90701, 90702, 90703, 90704, 90705 to the tables in Section 90705

05/16/02 AMEND: 6508

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09/03/02 AMEND: 1540

09/03/02 ADOPT: 1534

09/03/02 AMEND: 1541

08/20/02 AMEND: 1528

08/19/02 AMEND: 1543

07/02/02 ADOPT: 1533.2

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06/11/02 ADOPT: 255, 263, 264, 265 AMEND: 252, 254, 261, 304 REPEAL: 253, 256, 262

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06/07/02 AMEND: 1533.1

06/07/02 ADOPT: 1533

06/06/02 ADOPT: 1507

06/05/02 AMEND: 1111, 1122, 1137, 1177, 1413, 1470; section 1470 withdrawn from the instant filing.

06/04/02 AMEND: 135

05/29/02 AMEND: 23101.5

05/20/02 ADOPT: 138

05/16/02 ADOPT: 139

05/15/02 AMEND: 1699

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09/12/02 ADOPT: 2575, 2575.1, 2575.2, 2576, 2576.1, 2577, 2577.1, 2577.2, 2577.3, 2577.4, 2577.5, 2577.6, 2577.7, 2577.8, 2578, 2578.1, 2578.2, 2578.3

05/22/02 ADOPT: 2000

05/16/02 REPEAL: 596.15 & 596.16 & Article 12 thru Article 23 {all duplicated in the code}

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06/03/02 ADOPT: 1342, 1343, 1344 AMEND: 1302, 1303, 1306, 1307, 1308, 1340, 1341, 2503, 2505, 2507 REPEAL: 1342, 1343, 1344, 1349

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09/03/02 AMEND: 40633
 09/03/02 ADOPT: 69100, 69101, 69102, 69103, 69104, 69105, 69106, 69107
 08/27/02 AMEND: 12601, 12201
 08/22/02 ADOPT: 110385, 110449, 110554, 118020, 118203
 08/21/02 AMEND: Chapter 1; Section 7000
 08/14/02 ADOPT: 111560
 08/06/02 ADOPT: 66273.6, 66273.80, 66273.81, 66273.82, 66273.83, 66273.84, 66273.85, 66273.86, 66273.87, 66273.68, 66273.69, 66273.90 AMEND: 66271.9, 66273.1, 66273.8, 66273.9
 08/06/02 ADOPT: 63000.17, 63000.47, 63000.66, 63000.70, 63000.81, 63000.84, 63000.85, 63000.86, 63000.87, 63000.88, 63015, 63058 AMEND: 63000.19, 63000.37 (and renumbered to 63000.67), 63000.40, 63000.43, 63000.62, 63000.86 (and renumbered to 63000.89), 63000.89
 08/05/02 AMEND: 68200, 68201, 68202, 68203, 68204, 68205, 68206, 68207, 68208, 68209, 68210, 68211, 68212, 68213, 68214
 08/01/02 AMEND: 66262.54, 66264.71, 66264.72, 66265.71, 66265.72, 66270.30, Appendix
 07/22/02 ADOPT: 111550
 07/18/02 AMEND: 12705, 12805
 07/16/02 AMEND: 51503, 51503.2, 51504, 51505.1, 51505.2, 51505.3, 51507, 51507.2, 51507.3, 51509, 51509.1, 51514, 51517, 51521, 51527, 51527, 51529, 51535.5
 07/15/02 ADOPT: 64860
 07/03/02 ADOPT: 66268.31.5 AMEND: 66261.32, 66261.33, Ch. 11 App. VII, Ch. 11 App. VIII, 66268.7, 66268.33, 66268.39.5, 66268.40 and table entitled "Treatment Standards for Hazardous Wastes, 66268.48, 66268.49, Ch. 18 App. VII.
 06/19/02 ADOPT: 67900.1, 67900.2, 67900.3, 67900.4, 67900.5, 67900.6, 67900.7, 67900.8, 67900.9, 67900.10, 67900.11, 67900.12
 06/10/02 ADOPT: 100178.1 AMEND: 100177, 100178

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08/15/02 ADOPT: 110041, 110042, 110098, 110284, 110299, 110428, 110539, 110609, 112002, 112015, 112025, 112034, 112035 AMEND: 110430, 110431, 110473, 112100, 112110, 12130, 112140, 112150, 112152, 112154, 112155, 112200, 112210, 112300, 112301, 112302, REPEAL: 12

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08/27/02 ADOPT: 3410, 3410.1, 3410.2, 3410.3, 3410.4, 3410.5
 08/23/02 ADOPT: 2729, 2729.1
 08/08/02 AMEND: 3953
 07/30/02 AMEND: 2910
 07/18/02 ADOPT: 3936
 07/16/02 ADOPT: Publish new section 3935
 06/07/02 ADOPT: 510, 511, 512, 513, 514, 515, 516, 517
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07/23/02 ADOPT: 10010(a), 10010(b), 10010(c), 10010(d) REPEAL: 10010

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08/19/02 ADOPT: 1300.73.21
 08/12/02 ADOPT: 1001, 1002, 1003, 1004, 1005, 1006, 1007, 1008
 07/17/02 ADOPT: 1300.67.05
 07/08/02 REPEAL: 1300.75.4.2, 1300.75.4.4
 08/09/02 AMEND: 80001, 80006, 80061, 80065, 80068.3, 80071, 80075, 80077.2, 80077.3, 80077.4, 80087, 80090, 80092.1, 80092.2, 80092.3, 80092.4, 80092.6, 80092.7, 80092.8, 80092.9, 80092.10, 80092.11 REPEAL: 80095
 08/09/02 ADOPT: 80075.1, 82075.2, 87575.2, 87925 AMEND: 80001, 80061, 82001, 82061, 87101, 87561, 87801, 87861
 08/07/02 AMEND: 101218.1, 102419, 102421
 08/01/02 AMEND: 87101, 87565, 87566, 87568, 87589
 07/24/02 ADOPT: 110000, 110042, 110046, 110088, 110099, 110109, 110129, 110135, 110147, 110148, 110150, 110164, 110182, 110184, 110186, 110194, 110200, 110220, 110224, 110230, 110252, 110261, 110289, 110341, 110410, 110431, 110436, 110445, 110456, 110474, 110478,
 07/23/02 ADOPT: 87227.1, 87583.1 AMEND: 80007(a), 87101(s), 87107(a), 87114, 87118(a), 87222(a), 87561(a)(1)(A), 87585(a), 87587, 87700, 87702, 87807(a), 87854(d)

06/26/02 ADOPT: 89202, 89261, 89319, 89323, 89370, 89372, 89374, 89376, 89388, 89400, 89405 AMEND: 87000, 87001, 87005, 87006, 87007, 87009, 97010, 97010.1, 87010.2, 87017, 87018, 87019, 87019.1, 87019.2, 87020, 87021, 87024, 87026, 87027, 87028, 87029, 87031,

05/29/02 ADOPT: Title 22 section 119184 RE-PEAL: MPP section 12-225.3

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08/30/02 ADOPT: 16-001, 16-003, 16-005, 16-010, 16-015, 16-105, 16-120, 16-130, 16-201, 16-215, 16-301, 16-310, 16-315, 16-320, 16-325, 16-401, 16-410, 16-501, 16-505, 16-510, 16-515, 16-517, 16-520, 16-601, 16-610, 16-701, 16-750, 16-801 AMEND: 20-300, 44-302,

08/06/02 AMEND: 63-102, 63-103, 63-300, 63-301, 63-503

08/01/02 AMEND: 42-701.2(w), 42-710.1, 42-710.2, 42-710.3, 42-711.522(c)(1), 42-711.544, 42-711.91, 42-711.931, 42-711.941, 42-712.441(a), 42-718.21, 42-719.11, 42-719.111, 42-719.2, 42-719.3, 42-721.511(d)

08/01/02 AMEND: 40-181.1(e); 42-710.6; 42-711.5, .6, &.8, 42-721.1&.4; 44-314.1&.2;80-301(r); and 82-812.6

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